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LAWS AND ABSTRACTS OF LAWS

RELATING TO

AND NAVY PENSIONS,

WITH

OFFICIAL INSTRUCTIONS, REGULATIONS, AND FORMS,

ISSUED BY THE

COMMISSIONER OF PENSIONS, IN LIEU OF INSTRUCTIONS, ETC.
HERETOFORE PUBLISHED.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1869.

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DEPARTMENT OF INTERIOR,
PENSION OFFICE, *August 2, 1869.*

This pamphlet should be preserved for reference.

A strict compliance with the full instructions thereof, in all claims now pending, or for which application may hereafter be made, will generally complete a claim, and render further correspondence with the office unnecessary. It is desirable that all the evidence required should, whenever practicable, accompany the application.

H. VAN AERNAM,
Commissioner of Pensions.

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CHAPTER I.

CLASSES OF PERSONS ENTITLED, WITH RATES, CONDITIONS, AND LIMITATIONS.

(Loyalty is presupposed in all cases.)

5

INVALIDS.

- Any person disabled by reason of a wound received, or disease contracted, in the military or naval service of the United States, and in the line of duty, who has been honorably discharged therefrom. TITLE.
Bases sufficient in all claims for invalid pensions.
- 10 Any pilot, engineer, sailor, or other person, who, while employed upon a gunboat or war vessel (other than a transport or hospital ship) of the United States, though not regularly mustered, has been incapacitated for service. Pilot, engineer, sailor, &c., though not mustered. (See sec. 10, act July 14, 1862.)
- 15 Any person who, while voluntarily serving for the time being with any regularly organized military or naval force of the United States, or in any engagement with rebels or Indians, has been disabled in consequence of wounds received in battle in such temporary service. Unenlisted volunteers. (See sec. 9, act July 4, 1864.)
- 20 Any acting assistant or contract surgeon, who, while actually performing the duties of an assistant surgeon with any military force in the field, or in transitu, has been disabled by any wound received or disease contracted. Acting assistant or contract surgeons. (See sec. 2, act Mar. 3, 1866.)
- 25 Engineers, firemen, and coal-heavers, in the naval service, when the disability was incurred subsequent to March 31, 1842. Limitation as to engineers, firemen, and coal-heavers. (See sec. 2, act Aug. 11, 1848.)
- 30 Where, in any of the above-named cases, the disability has ceased before the filing of the claim, if its cause originated prior to March 4, 1861, and the claim be not filed within three years from discharge from the service in which the cause originated; or, if it originated since March 4, 1861, and the claim be not filed within five years from the commencement of the disability: there is no title to pension. Bar by failure to apply within the prescribed time.
- 35 When the cause of the disability originated subsequent to July 27, 1868, to entitle to pension, it must have originated in the line of duty; and, if the person was in the military service, while actually in the field or on the march; or at some post, fort, or garrison; or
- 40
- Conditions essential to entitle to pension where disability originated subsequent to July 27, 1868. (See sec. 2 of act of said date.)

	if in the naval service, was at the time borne on the books of some ship, or other vessel of the United States, at sea or in harbor, actually in commission, or was on his way, by direction of competent authority, to the United States, or to some other vessel or naval station.	5
Renewal of pensions.	If a pensioner has been stricken from the rolls on account of re-enlistment in the military or naval service of the United States, he can be restored to the rolls after discharge from service under said enlistment, if his disability still exists.	10
Restoration of pensioners who resided in the insurrectionary States.	In accordance with the provisions of the act of February 4, 1862, the names of all pensioners who resided within the insurrectionary States during the rebellion were dropped from the pension rolls. All of that class who remained loyal can be restored.	15
Where debarred by lack of record evidence. (See Sec. 6, Act July 4, 1864.)	No claim filed on or before July 4, 1864, and none filed after that date not completed within five years from the time of filing, will be allowed, unless satisfactory evidence as to disability in invalid cases, or as to disability and death in other cases, be furnished by the records of the War Department.	20
Rates.	Non-commissioned officers and privates, including all persons of like grade, whether in the army, navy, or marine corps, for total disability, eight dollars per month.	25
Eight dollars.	Passed midshipmen, midshipmen, captains, and paymasters' clerks, second and third assistant engineers, master's mates, and all warrant officers, ten dollars per month.	
Ten dollars.	Second lieutenants and enrolling officers in the army, and first assistant engineers and pilots in the navy, fifteen dollars per month.	30
Fifteen dollars.	First lieutenants, adjutants, deputy provost marshals, regimental quartermasters, assistant surgeons, acting assistant or contract surgeons, seventeen dollars per month.	35
Seventeen dollars.	Captains, provost marshals, chaplains, commissaries, and assistant quartermasters, in the army; and professors of mathematics, masters, assistant surgeons, assistant paymasters and chaplains, in the navy, twenty dollars per month.	40
(See act of April, 1864, and March, 1867, as to chaplains.)	Majors and surgeons in the army; and lieutenants, surgeons, chief engineers, and paymasters, (respectively ranking with lieutenants by law,) and passed assistant surgeons, in the navy, twenty-five dollars per month.	45
Twenty dollars.	Lieutenant colonels and all officers of a higher rank	
Twenty-five dollars.		

in the army; and captains, commanders, surgeons, paymasters, chief engineers, (respectively ranking with commanders by law,) and lieutenants commanding, in the navy; thirty dollars per month.

Thirty dollars.

- 5 The pension allowed will be proportionate to the degree of disability existent at the time of allowance, and for the rank held when the disability commenced, provided it commenced after the date from which rank takes effect as given in the body of his commission, whether mustered or not, and provided that, if not mustered, he was commissioned during the existence of a vacancy in the grade and while fitted for military duty, and that the failure to muster was not his fault.

Disability and rank as affecting rate.

Vacancy.

Failures to muster.

- The original pension of an invalid will commence from date of discharge from the service in which the disability originated, if, when the disability commenced in the service, the application was filed within five years from discharge from said service; or if, when the disability commenced after the discharge from said service, the application was filed within five years from the commencement of said disability: but, in either of the above cases, if the application was not filed within the five years prescribed, it will commence from the date of filing of the last proof essential to the establishment of the claim by the claimant or the party prosecuting the claim, except that in cases of insane persons, who previous to the expiration of the five years were without guardians or other proper legal representatives, the limitation will commence at the date of appointment.
- 25 And, in cases where the applicant shall have been in the service for any time during said five years, the limitation will be extended for that length of time. If, however, the claim is for disability which commenced in service prior to March 4, 1861, the pension will commence from the date of completing the testimony.

Commencement of original pension of an invalid.

Exceptions for insane.

Limitation extended during term of re-enlistment.

Claims of prior wars restricted by the three years' limitation.

Increase.

The rate of pension will vary with the disability, except that the disability provided for by section 1 of act of June 6, 1866, must be probably permanent.

- 35 Increase of pensions will commence from the time of receipt at the Pension Office of certificate of examining surgeon, which sets forth the existence of said increase, except when it is clearly shown by said certificate that the increase certified existed prior to said date, when the said increase of pension will commence at the date of its existence as certified, save in cases of higher rate of disability provided for by the acts of July 4, 1864, July 3, 1865, and June 6, 1866.

Commencement of increase.

War of 1861.

July 4, 1864; Mar. 3, 1865, and June 6, 1866.

March 3, 1865, and June 6, 1866, in which such increase will commence at the date of the passage of said acts, as set forth in statements hereto annexed.

Rate of increase
from July 4, 1864.

By the act of July 4, 1864, pension previously granted for loss of both feet is increased to twenty dollars, and for loss of both eyes or both hands to twenty-five dollars, from July 4 to June 6, 1866.

5

Rate of increase
from Mar. 3, 1865.

By the act of March 3, 1865, pension previously granted for loss of one foot and one hand is increased to twenty dollars, from March 3, 1865, to June 6, 1866.

10

Rates provided
by act of June 6,
1866.

The act of June 6, 1866, grants after that date, in lieu of the above, for total and permanent loss of both hands, or of the sight of both eyes, or permanent and nearly utter helplessness, twenty-five dollars.

For loss or total and permanent disability of both feet, or of one hand and one foot, or for other total and permanent disability for manual labor, twenty dollars; and for loss of one hand or one foot, or equivalent disability, fifteen dollars.

15

Loss of only eye.

The act of July 27, 1868, grants to those who, having entered the service with but one eye, have lost the same, the sum of twenty-five dollars per month, from June 6, 1866, provided they were entitled prior to the passage of the act of said last-named date to a pension less than that amount.

20

Increase of rate
of pensioners of
prior wars.

From and after July 25, 1866, all persons who may have been or shall be pensioned under acts passed prior to March 4, 1861, shall be entitled to same rate as those of same class pensioned under the act of 1862, and subsequent acts.

25

Ending.

Arrears. (See
sec. 6, act July 27,
1868.)

Both original and increased pensions will end when the disability ceases.

30

Bar, by act of
Mar. 3, 1865, de-
pendent upon time
of adjudication of
claim.

When a pension, title to which accrued subsequent to March 4, 1861, has been granted, to commence at the date of filing the claim or subsequent thereto, if the application upon which said pension was granted was filed within five years after the right thereto accrued, and adjudicated after June 6, 1866, the arrears debarred will be allowed to the pensioner for all the period from the date of discharge to date of commencement of pension; and if adjudicated prior to June 6, 1866, no pension can be allowed for such time as the soldier may have been in the service of the United States, and drawn full pay therefor, between March 3, 1865, and June 6, 1866.

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WIDOWS.

- | | | TITLE. |
|----|---|--|
| | Widows of revolutionary soldiers and sailors, simply by reason of the service of their husbands. | Widows of revolutionary soldiers and sailors. |
| 5 | persons who have been killed or have died in the military or naval service of the United States, of wounds received or disease contracted in the line of duty therein, since the revolution, and of those who have died as above stated after having been honorably discharged | Basis essential to all claims of widows except those of widows of soldiers of the Revolution. |
| 10 | from such service. | |
| | Widows of non-enlisted men are entitled only when their husbands were killed while voluntarily in the service of the United States, and, if not serving with a regularly organized military or naval force, while in an | Limitation. Widows of non-enlisted men. (See sec. 9, act July 4, 1864.) |
| 15 | engagement with rebels or Indians since March 4, 1861. | |
| | Widows of acting assistant or contract surgeons are entitled only when their husbands died while performing the duties of assistant surgeons with a military force of the United States in the field or in transitu. | Widows of acting assistant surgeons. (See sec. 2, act of Mar. 3, 1865.) |
| 20 | When the death of the husband resulted from wounds received or disease contracted subsequent to July 27, 1868, the title of the widow is governed by the same restrictions as determine that of the invalid, the cause of whose disability originated subsequent to that date. | When cause of death originated subsequent to July 27, 1868. (See sec. 2, act July 27, 1868.) |
| 25 | Widows of engineers, firemen, and coal-heavers, in the naval service, are only entitled when the death of the person on account of whose decease pension is claimed occurred subsequent to August 31, 1842. | Limitation as to widows of engineers, firemen, and coal-heavers. (See sec. 2, act of Aug. 11, 1842.) |
| 30 | A widow who has remarried before completing her claim for pension is barred therefrom, if a minor child of the person on account of whose death she may claim survived at date of her remarriage. | Bar by survivorship of minor child. (See sec. 4, act of Mar. 3, 1865.) |
| 35 | A widow who is shown to have willfully abandoned the care of any child or children under sixteen years of age, (of the person on account of whose death she claims pension,) or to be, by reason of immoral conduct, unfit to have the custody of the same, shall be barred therefrom until all the children attain the age of sixteen years. | Bar by abandonment or unfitness. (See sec. 8, act of July 27, 1868.) |
| 40 | A widow other than revolutionary is entitled to the rate of pension to which her husband would have been entitled, for total disability, had he survived. | Rates. |
| 45 | A widow of a revolutionary soldier, who, on the 27th of July, 1868, was in the receipt of less than eight dollars per month, is entitled to that amount. | Rate of pension to revolutionary widows. (See sec. 13, act July 27, 1868.) |

**Commencement
of original pen-
sions to widows.**

Prior wars.

**War of 1861.
Death prior to
July 14, 1862.**

**Where he had
a claim pending.**

**Will commence
from date of filing
last testimony.**

**Commencement
when she has
abandoned or is
unfit to have cus-
tody of the chil-
dren.**

**Ending of orig-
inal pensions to
widows.**

**Increase to wid-
ows.**

**Bar by aban-
donment.**

**Commencement
of increase pen-
sion to widows.**

Where the husband died of cause which originated prior to March 4, 1861, the pension of a widow will commence from the date of death, provided the claim was filed within three years thereafter; otherwise, upon the completion of the testimony.

Where the husband died prior to July 14, 1862, of a cause which originated subsequent to March 4, 1861, or where he died subsequent to former date, the pension will commence from date of discharge, provided he had a claim pending which was filed within five years after his discharge; otherwise it will commence from date of death. In case, however, her husband died prior to July 14, 1862, and her claim was not filed within five years from said date, and if, in case he died subsequent to said date, it was not filed within five years from date of his death, her pension will commence from date of completion of testimony.

If she has abandoned or is unfit to have custody of his children, her pension will, in all cases, commence when they have attained the age of sixteen years.

A widow's pension will end at her death or remarriage, (and not be renewable should she again become a widow, provided, if the cause of her husband's death originated in a war prior to March 4, 1861, she became a widow subsequent to July 4, 1864,) or, if she is shown to have abandoned the custody of the children, or to be unfit for the same, it will end at date of such abandonment or unfitness.

To the original pension allowed or allowable to a widow, on account of the death of her husband, unless he was a commissioned officer, there will be granted \$2 per month additional for every legitimate child, under sixteen years of age, which may have been born to him by herself; and also for every such child born to him by any former wife, whether he was an officer or not, if said child has been under her care and maintenance: provided that the widow has willfully abandoned none of said children, and is not unfit, by reason of immoral conduct, to have the custody thereof.

The increase for the children by the widow will commence from July 25, 1866, except when father died subsequent to said date, in which case it will commence from date of his death; the increase for children by a former wife, if they were not in her custody till after his death, will commence with such custody.

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The said increase pension shall terminate upon the death of each child respectively, or upon its attaining the age of sixteen years, or upon the remarriage of the widow, or her death, or her willful abandonment of any one of them.

Ending of increase.

A widow of an invalid pensioner is entitled to all the unpaid pension that may have accrued to him.

Arrears of original pensions of invalids; widows entitled thereto.

A widow, still a pensioner under the act of July 14, 1862, who has been barred from pension to which she was otherwise entitled, by failure to claim within three years, shall be entitled to such pension, provided her original application was filed within the period of five years heretofore prescribed under head of "commencement of pensions."

Arrears of original pensions of widows.

15 CHILDREN UNDER SIXTEEN YEARS OF AGE.

All the legitimate children under sixteen years of age of the classes of persons on account of whose death widows are entitled: provided said widows have died, remarried, or willfully abandoned said children, or are unfit, by reason of immoral conduct, to have the custody thereof. The rates, conditions, and limitations of minors' original pension are the same as those of widows, except that minors may apply within five years after the appointment of their guardian.

TITLE.
Rates, &c.

If no widow survived, or if she died or remarried before completing her claim, or had been allowed no pension by reason of abandonment or unfitness to have custody of the children, and if the application in behalf of the minors be filed within the time above prescribed, the pension will commence when the widow's would have commenced; otherwise, from the date of her death, remarriage, or forfeiture by reason of abandonment or unfitness.

Commencement of original pension.

If the application was not made within the five years prescribed, it will commence at the date of filing by the claimant the last essential evidence to complete the claim.

Limitation of five years.

The pension to each minor ceases when it dies or reaches the age of sixteen.

Ending of minors' original pension.

If the widow is dead, or is not entitled to pension,

Increase pension to children.

and more than one child under sixteen years of age survive, each such child save one is entitled to two dollars per month increase.

Commencement
of increase to
children by the
widow.

The increase pension to children by the widow, if there be no widow entitled, or, if there be a widow entitled, to whom no pension money has been paid, will commence at the same date as widows' increase; if any pension has been drawn by the widow, the increase will commence at date at which her title ceases.

5

Commencement
of increase to chil-
dren by a former
wife.

In cases of children by a former wife, if the widow has not drawn increase on account of said children, though they have been in her custody, or if they were not in her custody at date of father's death, the increase will commence at said date, except that where the pension is allowed as in widows' cases, under section 3 act of July 25, 1866, it shall commence as in those cases. If she has drawn increase, and the children were in her custody at date of father's death, it will commence when her title ceases.

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15

Ending of in-
crease to children
by widow.

The increase to children will continue until they have severally died or reached the age of sixteen years, except that no increase will be allowed to children by a former wife for such time as they may be, or may have been, in the custody and maintenance of the widow, if she is entitled.

20

Ending of in-
crease to children
by a former wife.

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Marriage no bar.

Marriage of the children is no bar to said increase.

Arrears to mi-
nors.

The arrears due to minors will be determined by the same conditions and limitations as apply to those of the widow; and, if she be dead, will include those to which she would have been entitled had she survived.

30

MOTHERS.

TITLE.

Mothers of all ~~classes~~ of persons on account of whose death widows are entitled, provided said mothers were dependent on the deceased for support, and no minor child survived.

35

Rates.

The rates to mothers are the same as those of original pensions to widows.

Commencement
of original pen-
sions to mothers.

Pensions to mothers commence the same as those of widows, and end at death or remarriage, or when dependence ceases.

40

Mothers are entitled to no increase; and to no arrears of pension, except such as they may have been barred from by failure to file within three years or by remarriage; the limitation as to service applies as in case of widows.

FATHERS.

Fathers the same as mothers, except that the child on account of whose death claim is made must have been legitimate, and except that the precedence given to fathers over sisters, by section 1, act of June 6, 1866, does not work a suspension or forfeiture of the sisters' pension granted prior to passage of said act.

The rates and conditions, as to commencement and ending of original pension to a father, are the same as in the case of a mother, except that the limitation of five years will commence from the date of passage of pension act of June 6, 1866, or if the mother died subsequent to said date, from the date of her death; and that, if a mother survived, the pension will commence at date of her death, provided the application be filed within five years thereafter.

BROTHERS AND SISTERS.

Brothers and sisters under sixteen years of age, if no widow nor child under sixteen years of age survived, and if both parents have died, provided they were dependent for support upon the person on account of whose decease they claim, and provided they and the said person were the legitimate offspring of the same parent.

Rates of pensions to brothers and sisters are the same as those to other dependent relations. The conditions and limitations are the same as those of children, except that, in brothers' cases, the limitation of five years for filing of application commences the same as in fathers' cases; that, if any parent survived, the pension will commence at date of death of last surviving parent,

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CHAPTER II.

MISCELLANEOUS INSTRUCTIONS.

Declarations of pension claimants shall be made before a court of record, or before some officer thereof having custody of its seal, said officer being hereby fully authorized and empowered to administer and certify any oath or affirmation relating to any pension or application therefor: *Provided*, That the Commissioner of Pensions may designate, in localities more than twenty-five miles distant from any place at which said court is holden, persons duly qualified to administer oaths, before whom declarations may be made and testimony taken. And a declaration is to be considered original when made by a new claimant, although an application may have been previously filed by a party having prior right on account of the same soldier.

Declarations.
How to be executed.

Residence more than 25 miles from court.

Declarations other than original may be executed before any officer duly authorized to take testimony. Declarations of claimants resident in foreign countries should be executed before some consul or ministerial officer of the United States.

Execution of supplementary declarations or affidavits.

Declarations in foreign countries.

Blank declarations are not supplied by this office; but the forms therefor, herewith published, as well as those for applications for transfer or duplicate certificate, should be strictly observed both as to subject-matter and order of statement, the leading items being indicated as therein by marginal reference.

Blanks for declarations not supplied by this office.

Declarations and other papers should be as legible and as clear in statement as possible.

Legibility.

When declarations filed are found to be defective, either from accidental errors or omissions, or from subsequent changes in legislation, these defects, if not too numerous or important, may be met by supplementary affidavits made before any duly authorized magistrate.

Corrections may be made by supplementary affidavits.

Applications for children under sixteen years of age, or for minor brothers and sisters, should, when practicable, be made by all the claimants jointly in a single declaration; and if there be two or more guardians, they should elect which shall receive the pension certificate; but if a joint declaration is impracticable, they may apply separately and receive separate certificates.

All children entitled should be declared jointly and one guardian receive the certificate, except when impracticable.

Accrued pension of a person dying while application is pending.

If any person entitled to a pension has died since the 4th of March, 1861, or shall hereafter die while an application for such pension is pending, without relatives entitled to pension, the executor or administrator of such person shall be entitled to receive the accrued pension to which said applicant would have been entitled had the certificate been issued before his or her death.

5

Right to elect on account of whom claimant will apply.

Where a claimant has lost two or more relatives, by reason of the death of any of whom a right to pension has accrued, said claimant may elect on account of which one a claim shall be made.

10

Arrears unclaimed.

The arrears due pensioners, whether claimed or not, at date of death, and those to which they would have been entitled had they survived, will be issued in the name of the deceased.

15

Special act cases.

Pensions granted by special acts of Congress will be subject to be varied in amount, according to the provisions and limitations of the pension laws, and will commence at the date of the passage of the special act, unless otherwise specified.

20

Declarations.

Formal declarations from the claimants thereunder are required, as in cases under the general law.

Arrears.

Arrears, under ninth section of act of July 27, 1868, are allowable to heirs of special act pensioners.

Order of action upon claims.

Applications will be numbered, acknowledged, and acted on in their turn.

25

Limitation for filing not affected by application of those not entitled.

The limit, as to time of filing by parties entitled, is not affected by the fact that an application has been filed by a person not entitled.

Only one pension. (Sec. 13, act June 6, 1866.)

Only one full pension, in any case, will be allowed, and that to the relations of a deceased soldier or seaman in order of precedence as set forth above.

30

Contest induces suspension of all claims involved.

In cases of contest, the claims of the several parties will be suspended without prejudice until the contest is settled.

35

Unclaimed pensions.

Suspension of payment of pension does not always work a complete forfeiture. Failure to claim a pension granted does not work a forfeiture of said pension.

Indorsement upon envelopes.

Upon the envelope of all correspondence relating to claims already on file should be indorsed the words: "Additional evidence in original claim No. —," or "Increase (or arrears) certificate No. —," the name and residence of the applicants, and the name of the person, if deceased, on account of whose death the claim is made, being also stated.

40

45

Where any evidence is already on file in any department of the government, a definite description of and a specific reference to it will render it available in any subsequent claim.

Evidence on file in any department of the government available.

- 5 The biennial examinations of invalid pensioners will be made by one surgeon only, if he is regularly appointed by the Pension Office, or surgeon of army or navy.

Examination.

Biennial.
Or holds a commission in the army.

- 10 Special examinations of pensioners will be ordered at such times as the interests of the government may seem to require; and such examinations, subject to an appeal to a board of three appointed surgeons, will take precedence of all previous examinations.

Special.

- 15 Fees of appointed surgeons will be paid directly by pension agents, for ordered examinations only.

Fees of surgeons, by whom payable.

- Neither the original nor a copy of any essential paper filed in a claim before this office can be furnished except upon the call of an officer of the government or of a court in which it is required for purposes of litigation;

Neither the original nor copies of papers on file to be furnished.

- 20 but, in cases where the office deems it proper, papers filed will be returned for correction of informalities.

Where the office deems proper, papers to be returned for correction.

The pension of persons rightfully claiming is not barred by payment to those not entitled.

Pensions of rightful claimants not barred by paym'ts to others.

- 25 The attention of attorneys and claimants is called to sections 12 and 13 of the act of July 4, 1864; sections 2, 3, and 4 of act of June 6, 1866; and the last clause of section 7 of act of July 27, 1868.

Fees, overcharges, and withholding of pension; pledge, sale or transfer; post dating of vouchers; no fees for prosecuting claims for arrears.

- 30 Every person desiring to be recognized as an attorney in a pension claim is required to file in this office evidence that he has complied with the excise law relating to claim agents, by taking out license.

License.

- The proper evidence of this fact is a certificate signed by the collector of internal revenue to whom said tax is paid, over his official seal. In cases of copartnership,

Certified by the collector.

- 35 the name of each individual member, as well as the name and style of the firm, should be given. The collector's certificate should, in all cases, bear the post office address of the party in whose favor it is given.

In cases of copartnership.

- 40 The said evidence should be filed each year on or before the 1st of May.

Post office address of attorney.

- By provisions of an act of Congress, approved July 17, 1862, every claim agent is required to take the oath of allegiance and to support the Constitution of the United States before he can be recognized as an agent or an attorney in prosecuting claims before this office. Appended is a form of the required oath, which

- 45

must be subscribed and sworn to before a justice of the peace or other officer who is legally authorized to administer oaths for general purposes, and whose official character must be duly authenticated. Such oath should be transmitted to this office by itself:

Oath.

"I, _____, do solemnly _____ that I will support, protect, and defend the Constitution and government of the United States against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution, or law of any State, convention, or legislature to the contrary notwithstanding; and further, that I do this with a full determination, pledge, and purpose, without any mental reservation or evasion whatsoever; and further, that I will faithfully perform all the duties which may be required of me by law: so help me God."

Revocation of power of attorney by claimant.

The substitution by claimants of attorneys for others already empowered and recognized by this office will not be acknowledged, unless good and sufficient reasons are given for said substitution.

Substitution of power by attorneys.

Transfers of claims by attorneys empowered to act in said claims to others will not be acknowledged, unless accompanied with a list of said claims, by name, (and, whenever practicable, by number,) and then only when the power of attorney of the party making the transfer embraces a power of substitution.

Post office address.

The post office address (naming street and number in all large cities) of the applicant, attorney, and witnesses, should be embodied in or accompany every application, and all evidence in each claim, and each change of residence of said parties, while communicating with the Pension Office or the pension agents.

Preparation of vouchers, time of payment, and fees, &c.

Attention is called to the annexed quoted paragraphs, which were published by this office in October, 1868, in a circular to pensioners:

"The fee allowed for prosecuting a claim for a pension is \$10; but no portion of it is payable until after the certificate for the pension has been issued.

"Army pensions are regularly paid to the 4th day of March and to the 4th day of September, and navy pensions to the 1st day of January and to the 1st day of July, in each year. Vouchers to draw pensions must be dated and signed on or after the date to which the payment is desired. All pensioners, guardians, and others are directed to refuse their signatures to vouchers, unless bearing the same date or one previous to the

day on which they were actually signed by them. They must also have their pension certificates with them to show to the magistrate when the oath is administered. Violations of the above provisions, or executing vouchers without being dated, or post-dating them, or withholding pension money from pensioners, subject the offending parties to a fine, to imprisonment, or to the penalties of subornation of perjury.

“The pledging of pension certificates for any purpose, and buying or advancing money on pension vouchers, are expressly forbidden. The holding of the certificate, or transfer of the vouchers, does not prevent the subsequent payment of a pension, and, being in violation of law, cannot protect a debt. The provisions in the oath of attorney having been enacted into a penal law, may be enforced against pensioners who sell or transfer their interest, as well as against those in whose favor the transfer or pledging is made, and those who shall falsely take the oath of attorney.

“Reasonable grounds for suspecting the improper execution of vouchers, or that advances have been made on them, or that the pension certificate is held as security, authorize a refusal to pay, and their retention for investigation. No deduction for advances or any debt can be made from pension money prior to the delivery to the pensioner. Pension agents are authorized not to recognize any person who habitually charges excessive fees, by remitting money to them, or paying them in person.

“Biennial examinations of army invalids, not exempt, are due September 4 in each odd year, (1867-'69, &c.,) provided their pension commenced prior to the preceding 4th day of March. Biennial examinations of navy invalids are due January 1 in each even year, (1868-'70, &c.,) provided their pension commenced prior to the preceding 1st day of July. No medical examination of a pensioner should be made until the time of applying for the payment of his pension, and if any pensioner is dissatisfied with the certificate given, he will not be allowed to procure another without first submitting his case for instructions.

“Pensioners residing within a convenient distance of the agency are required, when able, to draw their pension in person, and the expense of preparing their vouchers at the agency is limited to the following fees: For preparing vouchers, 25 cents; for oath of identity, 15 cents.

"On the first payment there will be another fee of 15 cents for oath of allegiance. Widows having minor children, and guardians, must furnish the additional oath of two witnesses that the children are alive.

"On vouchers prepared with a power of attorney the fees will be 25 cents; for oath of identity, (the fees varying in different States,) 12 to 25 cents; for oath of attorney at the agency, 15 cents.

"On the first payment there will be the additional fee for oath of allegiance—12 to 25 cents. Widows having minor children, and guardians, must furnish the oath of two witnesses that the children are living.

"No additional sum should be paid by pensioners, except it may be for postage or for a certificate of the official character of the magistrate. Form N to be filed at the agency. This expense, being shared by several in the same neighborhood or town, will be very trifling to each, and only paid once during the magistrate's term of office. The magistrate should be requested to cause this certificate of official character to be filed at the agency, as an unnecessary repetition of single certificates on separate vouchers will not be permitted at the expense of pensioners. After filing it, it would be well for the magistrate or pensioner to note this fact on successive vouchers. When their vouchers are executed, pensioners can, if no other course is preferred, inclose them in a letter, directed, when his name is unknown, to "Pension Agent," adding the town and State where the pension is payable, and he will remit the money as directed. Upon satisfactory representation that more fees have been exacted than above mentioned, with name and residence of the offending party, a prompt investigation will be had.

"It is required that all pensioners who are not in the present possession of their pension certificates shall immediately apply in person, or by letter, for their return. Should the application be refused or evaded, notify this office or the pension agent, giving the name and residence of the parties withholding them.

"In making inquiries in regard to any pensioner, it should be stated whether the same is an army or navy case, and at what agency payment was last made. The number of the pension certificate, when known, and the pensioner's post office address, should also be given.

"By reference to their pension certificates, pensioners will not only learn the date when their pension com-

mences, and the rate allowed, but widows will understand the conditions on which, and the length of time, the additional rate of \$2 per month will continue to be paid for each minor child.

- 5 “Blank forms for vouchers, for transfers, for duplicate certificates, for oaths of allegiance, and for drawing arrears after the death of a pensioner, with suitable directions printed thereon, are gratuitously furnished to pensioners on application.
- 10 “The voluntary co-operation of pensioners is necessary to realize the benefit of the material reduction in the expenses of collecting their pensions. With their assistance the department will certainly be more able, as well as more encouraged, in its efforts to secure to each the
- 15 full value of the generosity of the government.”

CHAPTER III.

EVIDENCE.

- Corroboration requisite.** All facts, testimony of which is required to establish a claim, must be proven by the affidavits of two or more credible witnesses, unless other evidence is hereinafter specified. 5
- Testimony of claimants insufficient.** The statements of claimants, unless duly corroborated, are not accepted as evidence.
- Before whom testimony may be taken.** Testimony, in support of allegations made in a declaration, may be taken before any officer whose authority and signature are duly certified, and who shall disclaim any interest, direct or indirect, in the prosecution of the claim. 10
- Authority in claims pending at decease of applicant.** Persons desiring to complete claims pending at the decease of the claimants must furnish a duly verified certificate of their authority as heirs or legal representatives. 15
- Evidence in foreign countries.** All evidence obtained in foreign countries should be sworn to before a consul or other officer representing the United States government, or before some magistrate whose authority shall be certified by such consul or representative. 20
- Discrepancies or errors.** Explanations of discrepancies or corrections of errors in affidavit must be made under oath by the party who made the error, with such corroborative testimony as the nature of the case may demand. 25
- Evidence of service.** Upon the reception of a claim for pension, evidence of the service alleged in the declaration will be sought in the proper departments of the general government, or in the office of the adjutant general of the State; and if not there found, the claim will not be further considered until the deficiency in said records shall have been supplied. 30
- Evidence of disability or death.** Evidence of disability or death, with the cause and date, will be sought from the proper official sources, before calling upon the claimants therefor. When said evidence cannot be obtained from these sources, the claimant will be required to furnish the same in accordance with the annexed specific instructions, compliance with which must be full and definite. 35
- When not to be obtained from official sources.**
- When desertion or misconduct is charged.** If it is charged that any soldier or seaman was guilty of misconduct (by reason of which he was dishonorably 40

dismissed) in the service in which the disability on account of which pension is claimed was incurred, or deserted and did not return to said service, the charge must be disproved.

- 5 In claims of invalids, the origin, nature, degree, and progress of the disability must be shown, in accordance with the requirements hereinafter set forth in claims on account of death, so far as applicable.

Invalids.
Disability.

- 10 In no case will the certificate of an examination by unappointed civil surgeons be accepted, unless it is satisfactorily shown by the affidavit of one or more disinterested and credible witnesses, that an examination by a commissioned or duly appointed surgeon is impracticable; on such proof, the certificate of two unappointed civil surgeons will be accepted; but neither will be conclusive when there is conflicting proof.

When certificates of unappointed civil surgeons are admissible.

Certificates of surgeons not conclusive if there be conflicting proof.

- 15 If the claimant enlisted under an assumed name, identity must be clearly established by the testimony of his commanding officer, or, if this cannot be had, by that of other persons who knew the claimant both before and after he entered the service, and who were cognizant of his enlistment under said assumed name.

Identity.

- 20 If the applicant had been commissioned to the rank claimed, and evidence of his muster into the rank does not exist in the office of the Adjutant General or other records of the government, other satisfactory proof of muster must be furnished; or, if not mustered, his commission, discharge, and final statements must, if possible, be filed; and it must be shown that the failure to muster was not due to any fault of the person so commissioned, or to his disability, or the non-existence of a vacancy; the best proof on these points will be the affidavit of the proper mustering officer, or of some superior officer having personal knowledge of the facts.

Muster of officer.

If not mustered.

Commission, discharge, and final statements, when required.

- 35 If claiming increase, the original certificate must be returned; and such evidence as to the disability as is not already on file, and as to any other disability than that previously specified, must be the same as that required in original claims.

Increase.
Return of certificate of pension.

Evidence of same nature as in original claims.

- 40 If claiming for arrears, no proof additional to that therein required for original claims is necessary. The claimant should, however, make affidavit as required under the head of Miscellaneous Instructions.

Arrears.

- 45 In claims of widows for original pension, the death of the husband, on account of whose decease the claim is made, must be proven as hereinafter required.

Widows.
Proof of death.

When the deceased has died in regiment or hospital.

Testimony of an officer having personal knowledge.

Date of death.

Death from disease.

Nature and origin of cause of death, and habits of deceased.

Disease prior or subsequent to enlistment.

When surgeon's testimony cannot be obtained.

Furloughs.

When the soldier has died on furlough, or after his discharge.

Nature and origin of cause of death, and habits of deceased.

Condition after discharge, habits, name of disease, and date of death.

If missing.

Statements of civil surgeons verified by oath.

If death resulted from wounds or other injury, the nature of the injury, and the time, place, manner, and particular circumstances under which it was received, whether in battle or otherwise, should be fully shown by the certificate of some commissioned officer having personal knowledge of the facts, who is in actual service, or by his affidavit, if he be out of service, the source of his information and the date of decedent's death being stated.

If the deceased died of disease, an army or navy surgeon (as the case may be) should testify as to whether it was contracted in the service and in the line of duty, giving particulars, as required above in case of wounds, as to its nature and origin, the habits of the deceased, and the date of his death; and when the surgeon is unable to declare positively whether the disease existed prior to enlistment, the affidavit of the family physician touching this point must be furnished. If it be shown by satisfactory evidence that the surgeon's testimony cannot be obtained, that of some commissioned officer having personal knowledge of the facts will be received.

Cause of disability or death, which originated on sick leave or sick furlough, or on veteran furlough, except when in nowise incident to the service, is to be regarded as though it originated in camp or hospital.

The nature and origin of the disease, or injury, from which the deceased was suffering at the time of his furlough or discharge, must be shown by the testimony of an army or navy surgeon, or other officer, as indicated above, the habits of the deceased being stated; and the surgeon or physician who subsequently attended him must testify minutely as to his condition from the time of leaving the service to the date of his decease, stating as to his habits, the period he was under treatment, the name of his disease, and the date of his death.

If the person on account of whose death claim is made was missing, and no positive knowledge of his death exists, the claimant must state the supposed place and date of death, and swear that there is no reason for believing he did not die at the time and place alleged; and the testimony of a commissioned officer must, if possible, be furnished, showing all the circumstances justifying the belief that death actually occurred in the service and line of duty.

The statements of civil surgeons and physicians, and of army or navy surgeons who have left the service.

must be verified by oath, the professional standing of the former being duly certified.

If the deceased died away from his regiment, (unless discharged or in hospital,) his furlough, or other official paper showing authority for such absence, must be furnished. Furlough to be furnished, when.

If it be satisfactorily shown that the testimony of the parties above referred to cannot be obtained, by reason of death or inability to ascertain their whereabouts, the facts may be proved by the affidavits of other credible persons having the requisite knowledge. When testimony of officers cannot be obtained.

If the deceased enlisted under an assumed name, identity must be established in the same manner as is required in similar cases in claims of invalids. Identity.

If the deceased had been commissioned in the rank claimed, evidence as to muster or non-muster must be furnished in the same manner as is required in similar cases in invalid claims. Officers' muster and non-muster.

The alleged relationship between the claimant and the deceased must be proved; marriage being shown by, first, a duly verified copy of the church or other public record; or, second, by the affidavit of the officiating minister or magistrate; or, third, by the testimony of two or more eye-witnesses of the ceremony; or, fourth, by a duly verified copy of the church record of the baptism of some child of the parties; or, fifth, by the testimony of two or more witnesses who know the parties to have lived together as man and wife from the date of their alleged marriage, the witnesses stating the period during which they knew them thus to cohabit. Before any of the lower classes of evidence can be accepted, it must be shown by competent testimony that none higher can be obtained. Marriage.

If either claimant or deceased was previously married, it must be shown that former marriage was illegal, that a decree of divorce had been granted, or that former wife or husband died, giving date of death. Death or divorce of former wife or husband.

It must also be shown whether the person, on account of whose service claim is made, left children under sixteen years of age, by widow or former wife; and, if he did, that they were born in wedlock; and a verified copy of the baptismal or other public record, or the affidavit of attending physician; or, if the above cannot be had, the affidavits of other credible persons who were present at birth, giving names of children and dates of birth, and if any have died, their names and the dates of death, must be furnished. Children.

Classes of proof in the order of weight.

Dates of birth.

- Increase.** If claiming increase, the widow must return her original certificate, and prove, (in addition to the above,) as to the children of the deceased by a former wife, that they have been in her custody, and for what definite period. 5
- Custody of children by a former wife.**
- Legitimacy of children.** If any of the children were ante-nuptial, it must be shown that they were legitimated in accordance with law; the name of the State being given and reference being made to the particular statute.
- Arrears.** In claiming for arrears, a widow must return her original certificate; and, if she has remarried since the original pension was granted, the fact and date of her remarriage must be proven by evidence as required in claims for original pension. 10
- If remarried.**
- Children under sixteen years.** In claims of children for pension, on account of the death of the father, the guardian must prove— 15
- Guardianship.** 1. His authority as guardian, by a verified certificate from the court by which he was appointed; and, if any other guardian has been appointed, that he is dead or his authority has been revoked. 20
- Requisites—same as in widows' cases.** 2. The death of the father, the marriage of the parents, the legitimacy of the children, dates of birth, and, if any of said children have died, the date of death, as in claims of widows. 25
- Remarriage of father and non-survivorship of widow.** 3. Whether the father had remarried or not, and that he left no widow surviving at date of his death. 25
- Death, or remarriage or abandonment, &c., of the mother.** 4. The fact and date of death of the mother; or her remarriage, by same testimony required as to marriage in claims of widows; or her abandonment or unfitness to have charge of the children, by a certificate of a probate court or other satisfactory evidence. 30
- Children other than the applicants.** 5. Whether the father left any other child under sixteen years of age, and, if he did, why such other is not embraced in the application. 35
- Increase.** If claiming increase, the guardian must furnish the same evidence, if not already filed, as is required in claims for original pension; and, if a change of guardian has been made since the original pension was granted, the authority of the new guardian must be shown. 40
- Arrears.** In claiming for arrears, the original certificate should be returned; no additional proof is required, except, if any of the claimants have died since the original pension was granted, the fact and date of death; and, if a change of guardian has been made, the authority of the new guardian. 45
- Mothers.** A mother, claiming pension, must prove the death of her son, as in the case of a widow; her relationship; that he left neither widow nor minor child surviving; and her dependence, by showing. 50
- Relationship and no prior claimant.**

1. That previous to her said son's decease her husband had died, the date of his death being stated; or that he had permanently abandoned the support of his family, and the date and continuance of such abandonment; or, by full medical testimony, that, through sickness or other unavoidable cause, he was, and continued to be so long as he survived, and, if still living, now is unable to support the claimant; the nature of the disability, and for how long a period, and to what extent it disqualified him for labor of any kind.
2. The value of claimant's property, her income therefrom, and other means of support possessed by her while she was receiving the contributions of her said son, and since.
3. To what extent, for what length of time, and in what manner, her said son contributed to her support, and approximately the amount contributed per month or per year, both before and after enlistment, and whether for payment of rent, board, or other necessary expenses; any letters from him bearing upon the question of support being also filed.
- The same proof required for arrears as in widows' applications therefor.
- A father claiming pension on account of the death of his son, must prove—
- The death of said son; that no widow nor minor child survived; his own disability, and income, and the support rendered by said son; all by testimony, such as is required in the claim of a mother.
- Also his own marriage, by the same evidence as is required in the claim of a widow; the death of the mother, and the date of birth and legitimacy of said son.
- The same proof required for arrears as in mother's case.
- In claims for dependent brothers and sisters, proof must be furnished as to authority of guardian; death of brother, on account of whom pension is claimed; that the deceased left no widow nor minor child; marriage and date of death of parents; dependence, legitimacy, and dates of birth of wards, and the date of death, if any have died; and if there are surviving any other brothers or sisters, why they are not embraced in the application.
- If claiming for arrears, the same evidence is required as in claims of children therefor.
- In claims of pensioners for restoration to the rolls, where pension has not been claimed for a period of three years after the same shall have become due, evidence must be furnished as to the period for which the claim is made.
- Dependence.
Death of husband, or his abandonment of, or disability for support.
- Claimant's property, income, or means of support.
- Specific statements of contributions of the son, and the purposes for which made.
- Arrears.
- Fathers.
- Death.
No prior claimant surviving.
Disability, income, and support of son.
- Marriage of claimant.
Death of the mother and birth and legitimacy of the son.
- Arrears.
- Dependent brothers and sisters.
Guardianship, death of brother, no prior claimant, marriage and death of parents, legitimacy, dates of birth and death, and if any other brothers or sisters.
- Arrears.
- Restoration.
Pensions unclaimed more than three years.

- That disability still exists.** In claims of invalid pensioners for restoration, a certificate of an examining surgeon of the Pension Office, that the disability had not ceased, must be furnished, except in cases where claimants have been pensioned for loss of limbs or of eyesight. 5
- No remarriage.** In restoration cases of widows, mothers, and fathers, it must be shown that they had not remarried.
- Not sixteen.** In restoration cases of children, and dependent brothers and sisters, proof is required that they had not attained the age of sixteen years. 10
- Residents in insurrectionary territory during the recent rebellion.** In claims for restoration to the rolls of persons whose names were stricken therefrom under the act of Congress of February 4, 1862, an affidavit of two or more loyal witnesses fully sustaining the allegations of the claimant, including that as to loyalty, and declaring the means of their knowledge of said loyalty and the facts and circumstances through which said knowledge was derived, must be filed. 15
- Loyalty.**
- Heirs for arrears.** In cases of application for arrears by heirs of such pensioners, the loyalty of the pensioner, as well as of the applicants, must be proven in the same manner as above stated. 20
- Loyalty.**
- Increase to pensioners of wars prior to 1861.** In claims for increase under section 13, act of July 27, 1868, allegations of the claimant must be corroborated by evidence of the same character, and in the same form, as is required in other cases where the same points are to be proved. 25

CHAPTER IV.

QUALIFICATIONS, ETC., OF WITNESSES AND MAGISTRATES.

It is desirable, though not indispensable, that the parties testifying to any fact in the prosecution of a claim be other than near relations of the claimant, and that they be persons of considerable intelligence, able, at least, to write their own names.

The simple certificates of judicial officers using a seal, or of commissioned army officers in actual service, will be accepted without affidavit; but all other witnesses must testify under oath.

Witnesses should not simply confirm, in general terms, allegations made by other parties; but all the facts to which they testify should be fully stated in their own depositions, together with their personal knowledge of the facts alleged, the means of their information, their disinterestedness in the prosecution of the claim, and their post office address.

The officer who takes the deposition must certify as to his knowledge of the credibility of the witnesses, and how such knowledge is obtained.

If they sign by mark, he must certify that the contents of their deposition were made fully known to them before swearing.

He must specify what particular erasures, interlineations, and additions have been made in the deposition, and certify that they were, each and all of them, made with the knowledge and sworn consent of the deponent.

He must certify as to his own interest in the claim. If his commission is not on file in this office, his official character and the genuineness of his signature must be duly certified, under seal of a court of record, or of the secretary of the State in which the authority was granted.

He should also state his post office address.

TITLE.

Witnesses.

Other than near relatives.

What certificates without oath are accepted.

Corroboration to be full and specific.

Disinterestedness and postoffice address of witnesses.

Magistrates. Deposition and credibility of witnesses.

To be read to witness.

Erasures, &c.

Disinterestedness of magistrates.

Authority of officer must be shown.

Post office address of officer.

FORMS

A.

Declaration for original pension of an invalid.

STATE OF ———, County of ———, ss :

On this ——— day of ———, A. D. one thousand eight hundred and ———, personally appeared before me, ———, a duly authorized officer of a court of record in and for the county and State aforesaid ———, who, being duly sworn according to law, declares: That he is the identical ———, who enlisted under the name of ———, in the military (or naval) service of the United States, at ———, on the ——— day of ———, in the year ———, [here state the company and regiment if in the army, or vessel and rank if in the navy, and whether in any other service; and if so, what, and under what name,] in the war of ———, and was honorably discharged on the ——— day of ———, in the year ———; that his personal description is as follows: Age ———, height ———, complexion ———, hair ———, eyes ———; that, while in the service aforesaid and in the line of his duty, he received the following wounds, (or disability, as the case may be,) and that he was treated therefor in the following named (or numbered) general hospitals: [here give a particular and minute account of the wound or other injury, and state how, when, and where it occurred, and his present physical condition; where the applicant has resided since leaving the service, and what has been his occupation.]

Disability, treatment in hospital, description of the cause of disability and date of origin, its progress, &c.

Residence, occupation and habits of applicant.

Agent.

Other application, residence and post office address.

That he hereby appoints ———, his attorney to prosecute his claim; that he has never received or applied for pension; that his residence is at No. —, in ——— street, in the ——— of ———, county of ———, and State of ———; and his post office address is ———.

(Claimant's signature.)

Also, personally appeared ———, residing at No. —, in ——— street, in ———, and ———, residing at No. —, in ——— street, in ———, persons whom I certify to be respectable and entitled to credit, and who being by me duly sworn, say: They were present and saw ———, the claimant, sign his name (or make his mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with him, that he is the identical person he represents himself to be; and that they have no interest in the prosecution of this claim.

Identifying witnesses.

Credibility.

Present.

Disinterestedness.

(Signature of witnesses.)

Sworn to and subscribed before me, this — day of —, A. D. —, and I hereby certify that the contents of the above declaration, &c., were fully made known and explained to the applicant and witnesses before
 5 swearing, including the words —, erased, and the words —, added; and that I have no interest, direct or indirect, in the prosecution of this claim.
 (Official signature.)

(The person administering the jurat should sign in
 10 his own name.)

 For application for arrears see Form N.

3 P L

B.

Declaration for the increase of an invalid pension.

STATE OF ———, County of ———, ss :

On this ——— day of ———, A. D. 18—, personally ap-
 Civil officer. appeared before me, ———, (here state the official character 5
 Applicant and of the person administering the oath) ———, aged ———
 age. years, who, being duly sworn according to law, declares
 A pensioner. that he is a pensioner of the United States, duly enrolled
 Name of agen- at the ——— pension agency, at the rate of \$— per
 cy; rate of pen- month, by reason of disability incurred in the military 10
 sion. (or naval) service of the United States, [here state the
 Service. company and regiment if in the army, or the vessel and
 Present condi- rank if in the navy;] that his present physical condition
 tion. is such that he believes himself entitled to receive an
 Pension certifi- increased pension; and that he herewith returns his 15
 cate. present pension certificate.
 Nature of the He further declares that he is disabled in the follow-
 extent of the dis- ing manner, to wit: [Here the declarant will particu- 20
 ability. larly set forth the nature of his disability, and the ex-
 Agent, residence, tent to which he is incapacitated for manual labor or
 and post office ad- others.] That he hereby appoints ——— his attorney
 dress. to prosecute his claim. That his residence is at No.
 ———, in ——— street, of ———, county of ——— and
 State of ———, and his post office address is ———. 25
 (Signature of claimant.)

Increase under
act June 6, 1866.

(Identification and jurat as in Form A.)

NOTE.—In claims for increase under the first section
 of the act of June 6, 1866, if a pension has been 30
 granted for either of the disabilities set forth in said act,
 or for a specific disability caused by a wound, at the
 lower rates provided for by the previous acts since the
 4th of March, 1861, the formal declaration need not
 be required, an application such as that accepted in
 claims for arrears being deemed sufficient. 35

Formal declara-
tions not required
in certain cases.

☞ For application for arrears see Form N.

C.

Declaration of a widow for original pension, when no child under sixteen years of age survives.

STATE OF ———, County of ———, ss :

- 5 On this — day of —, A. D. 18—, personally appeared before me, ———, a duly authorized officer of a court of record in and for the county and State aforesaid ———, aged — years, who, being duly sworn according to law, makes the following declaration, in
 10 order to obtain the pension provided by the act of Congress granting pensions to widows: that she is the widow of ———, who enlisted under the name of ———, at —, on the — day of —, A. D. —, [here state company and regiment if in the army, or vessel and rank if in the navy, and whether in other service, and if so, what, and under what name,] in the war of ———, who died of ———, (or was missing and is believed to have died) at ———, on the — day of —, A. D. —, who bore at the time of his death the rank of ———, in company ———, and — regiment, (or vessel if in the navy;) that she was married under the name of ———, to said ———, on the — day of —, A. D. —, by ———, at —, there being no legal barrier to such marriage; that neither she nor her husband had been previously married, (or otherwise as the case may be;) that she has, to the present date, remained his widow; (or if remarried, claimant will state when, where, to whom, and by whom;) that he, the said ———, left surviving no minor child or children by either herself or any former wife; that she has not in any manner been engaged in or aided or abetted the rebellion in the United States; that no prior application has been filed, either by her husband or herself, (or if any has been filed, date and number should be given;) that she hereby appoints ——— her attorney to prosecute her claim; that her residence is at No. —, in — street, in the — of —, county of ———, and State of ———, and that her post office address is ———

Court officer.

Applicant's age.

Soldier or sailor.

Enlistment; service.

Died or missing.

Rank.

Marriage.

Prior marriage.

Not remarried.

No minor children.

Loyalty.

Prior application.

Agent.

Residence and post office address.

(Claimant's signature.)

- 40 Also, personally appeared ———, residing at No. —, in — street, in ———, and ———, residing at No. —, in — street, in ———, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say, they were present and saw ———, the claimant, sign her name (or make her mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with her, that she is the identical person she represents herself to be, and that they have no interest in the prosecution of this claim.

Identifying witnesses.

Credibility.

Present.

Disinterestedness.

(Signature of witnesses.)

Jurat.

Contents made
known.

Sworn to and subscribed before me, this — day of
 —, A .D. —, and I hereby certify that the con-
 tents of the above declaration, &c., were fully made
 known and explained to the applicant and witnesses
 before swearing, including the words —, erased, and 5
 the words —, added ; and that I have no interest,
 direct or indirect, in the prosecution of this claim.

(Official signature.)

(The person administering the jurat should sign his
 own name.) 10

 For application for arrears see Form N.

D.

Declaration for original pension of a widow, child or children under sixteen years of age surviving.

STATE OF ———, County of ———, ss :

- 5 On this ——— day of ———, A. D. ———, personally appeared before me, ———, a duly authorized officer of a court of record in and for the county and State aforesaid, ———, aged ——— years, who, being duly sworn according to law, makes the following declaration, in order to
- 10 obtain the pension provided by acts of Congress granting pensions to widows: that she is the widow of ———, who enlisted under the name of ———, at ———, on the ——— of ———, A. D. ———, in [here state company and regiment if in the army, or vessel and rank if in the navy and whether in other service, and if so, what, and under what name,] in the war of ———, who died of ———, (or was missing, and is believed to have died,) at ———, on the ——— day of ———, A. D. ———, and who bore at the time of his death the rank of ———, in company ——— and ——— regiment; (or vessel, if in the navy;) that she was married under the name of ———, to said ———, on the ——— day of ———, by ———, at ———, there being no legal barrier to such marriage; that neither she nor her husband had been previously married; (or otherwise as the case may be;) that she has, to the present date, remained his widow; that the following are the names and dates of birth of all his legitimate children yet surviving, who were under sixteen years of age at the father's death, viz:
- 30 his by herself, ———, his by a former marriage, ———; that she has not abandoned the support of any one of his children by a former marriage, but that they are still under her care and maintenance; [or, if otherwise, let the facts be stated;] that she has
- 35 not in any manner been engaged in or aided or abetted the rebellion in the United States; that no prior application has been filed by either her husband or herself; [or if one has been filed the date and number must be given;] that she hereby appoints ———, her attorney to
- 40 prosecute her claim; that her residence is at No. ———, in ——— street, ——— in the ——— of ———, county of ———, and State of ———, and that her post office address is ———.

Court officer.

Applicant and age.

Soldier or sailor.

Enlistment.

Service.

Died or missing.

Rank.

Marriage.

Prior marriage.

Not remarried.

Names and ages of children.

His by herself.
His by former widow.

Not abandoned children by former wife.

Loyalty.

Prior application.

Agent.

Residence and post office address.

(Signature of claimant.)

- 45 (Identification and jurat as in Form C.)
 For application for arrears see Form N.

Declaration of a pensioned widow for increase of pension.

Civil officer.

5

Service.

10

15

20

25

30

 For application for arrears see Form N.

F.

Declaration for pension of children under sixteen years of age.

STATE OF ———, County of ———, ss :

- 5 On this — day of —, A. D. —, personally appeared before me, —, a duly authorized
Court officer.
officer of a court of record, in and for the county and State aforesaid —, who being duly sworn according to law, makes the following declaration, in
10 order to obtain the pension provided by acts of Congress for children under sixteen years of age, that he (or she) is the only legal guardian of —, legitimate children of —, who enlisted under the
Guardian. Legitimacy.
name of —, at —, on the — day of
15 —, A. D. —, [here state company and regiment if in the army, and vessel and rank if in the navy, and whether in other service; and if so, what, and under what name,] in the war of —, who died of —,
Died or missing.
(or was missing, and is believed to have died,) at —, on the — day of —, A. D. —, and who bore at the time of his death the rank of —, in company — and — regiment; (or vessel, if in the navy;) that he left no widow surviving [or if any survived, and abandoned any of said children, or is unfit to have
No widow or minor children survive.
25 charge of them, the dates and other particulars, or if she has died, the fact and date of death should be here stated;] that the abovenamed are the only surviving legitimate children of said —, who were under sixteen years of age at the time of his death, [and
Death of widow. Only surviving children under 16 years of age.
30 if any have died, the fact, and date of deaths should be stated;] that said children were the issue of —; [here give the name and date of birth of each child, and the names of the parents of each child respectively;] that the father was married under the name of —, to —, on the — day of —, by —, at —, there being no legal
Dates of birth. Names of parents, respectively. Marriage of parents.
35 barrier to such marriage; [if more than once married, the facts in each case should be stated;] that the said children have not aided or abetted the rebellion, and that no prior application has been filed in their behalf, or by the father or mother; [or if any has been filed, the number and the date of filing should be given;] that he (or she) hereby appoints —, his (or her) attorney to prosecute the above claim; that his (or her) residence is at No. —, in — street, in the — of —, county of —, State of —, and that his (or her) post office address is —.

(Claimant's signature.)

- 50 Also, personally appeared —, residing at No. —, in — street, in —, and —, residing at No. —, in — street, in —, persons whom I certify to be respectable, and entitled to
Identifying witnesses. Credibility.

Present.

credit, and who, being by me duly sworn, say they were present and saw _____, the claimant, sign _____ name (or mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with _____, that _____ is the identical person _____ represents _____ to be, and that they have no interest in the prosecution of this claim.

5

Disinterested-
ness.

(Signature of witnesses.)

(Jurat same as in Form A.)

10

☒ For application for arrears see Form N.

G.

Declaration of Guardian for increase of pension to pensioned children.

STATE OF ———, County of ———, ss:

- 5 On this — day of —, A. D. —; personally appeared before me ———, [here state official character,] — who, being duly sworn according to law, makes the following declaration, in order to obtain the benefit of the provisions of acts of Congress increasing the pensions of
- 10 orphans: that he (or she) is the only legal guardian of ———, legitimate children of ———, who was a [here state company and regiment if in the army, or vessel and rank if in the navy, and whether in other service, and if so, what, and under what name;] that, on
- 15 account of his death, they have been granted pension in accordance with the certificate numbered —, bearing date ———, and which is herewith returned; and that the names and dates of birth of all his legitimate children yet surviving, who were under sixteen years of
- 20 age at the date of the father's death, are as follows: —
 ——— (of deceased by herself, ———)
 ——— his by a former marriage,
 ———
- 25 That he (or she) hereby appoints ——— his (or her) attorney to prosecute the above claim; that his (or her) residence is at No. —, in — street, in the — of —, county of —, State of —; and that his (or her) post office address is ———.
- 30 (Claimant's signature.)

Civil officer.

Guardian.

Legitimacy of children.
Service.

Pension certificate.

Names and dates of births of children under sixteen.

Children by herself.

Children by former wife.

Agent.

Residence and post office address.

(Identification and jurat as in Form F.)

 For application for arrears see Form N.

H.

Declaration for original pension of a mother.

STATE OF ———, County of ———, ss:

Court officer.	On this — day of —, A. D. —, personally appeared before me, —, a duly authorized officer of a court of record, in and for the county and State aforesaid, —	5
Applicant.	—, aged — years, who, being duly sworn according to law, makes the following declaration in order to obtain the pension provided by the acts of Congress granting pen-	
Wife of and mother of.	sions to dependent mothers: that she is the widow (or wife) of —, and mother of —, who enlisted under the name of —, at —, on the — day of —, A. D. —, [here state company and regiment if in the army, or vessel and rank if in the navy, and whether in other service, and if so, what, and under what name,]	10
Service.	—, A. D. —; that said son, —, left neither widow nor child under sixteen years of age surviving;	15
Died or missing.	in the war of —, who died of —, (or was missing and is believed to have died) at —, on the — day of —, A. D. —; that said son, —, left neither	
No minor child survived.	widow nor child under sixteen years of age surviving;	20
Dependence.	that she was dependent upon said son for support;	
Age and death, or abandonment of husband.	that her husband, said —, aged —, died at —, on — day of —, A. D. —, and that she has not	
Remarried.	remarried, [or, if she has remarried, state when, where, to whom, and by whom; or, if said husband still sur-	25
Nature of husband's disability.	vives, state the nature of his disability and for how long a period, and to what extent it disqualified him	
Surviving brothers and sisters under sixteen.	for supporting her;] that there were surviving at date of said son's death, his brothers and sisters who were under sixteen years of age at said date, as follows:	30
Names and dates of birth.	[here give names and dates of birth;] that she has not	
Prior application.	heretofore received or applied for pension; that she has	
Loyalty.	not aided or abetted the rebellion; that she hereby	
Agent.	appoints —, her attorney to prosecute the above	
Residence and post office address.	claim; that her residence is at No. —, in — street, in the — of —, county of —, and State of —; and that her post office address is —.	35

(Claimant's signature.)

(Identification and jurat as in Form C.)

☞ For application for arrears see Form N.

I.

*Declaration for original pension of a father.*STATE OF ———, *County of* ———, ss:

- On this — day of —, A. D. —, personally appeared
- before me —, a duly authorized officer of a court of record in and for the county and State aforesaid, —, aged — years, who, being duly sworn according to law, makes the following declaration in order to obtain the pension provided by the acts of Congress, granting pensions to dependent fathers; that he is the father of —, who enlisted under the name of —, at —, on the — day of — A. D. —, in [here give company and regiment if in the army, or vessel and rank if in the navy, and whether in other service, and if so, what, and under what name,] in the war of —, and died of —, (or was missing and is believed to have died,) at —, on the — day of — A. D. —; that said son left neither widow nor child under sixteen years of age; that the declarant was married to the mother of said son at —, on the — of —, A. D. —, by —; that he was dependent upon said son for support; that there were surviving at date of said son's death, his brothers and sisters, who were under sixteen years of age at said date, as follows: [here give names and dates of birth] that he has not heretofore received or applied for pension; that he has not aided or abetted the rebellion; that he hereby appoints —, his attorney to prosecute the above claim; that his residence is at No. —, in — street, in the — of —, county of —, State of —, and that his post office address is —.

Court officer.

Applicant.

Name of deceased.

Service.

Died or missing.

No widow nor minor child survived.

Marriage.

Dependence.

Brothers and sisters, if any survived.

Names and dates of birth.

Prior application.

Loyalty.

Agent.

Residence and post office address.

(Claimant's signature.)

(Identification and jurat same as in Form A.)

 For application for arrears see Form N.

J.

Declaration for pension of dependent brothers and sisters.

STATE OF ———, County of ———, ss :

Court officer.	On this — day of —, A. D. —, personally appeared before me, —, a duly authorized officer of a court of record in and for the county and State aforesaid, —, who, being duly sworn according to law, makes the following declaration in order to obtain the pension provided by the acts of Congress for dependent brothers and sisters; that he (or she) is the only legal guardian of —, —, brothers and sisters of —, —, who enlisted under the name of —, at —, on the — of —, A. D. —, in [here state company and regiment if in the army, or vessel and rank if in the navy, and whether in other service, and if so, what, and under what name,] in the war of —, and died of —, (or was missing and is believed to have died,) at —, on the — day of —, A. D. —, and bore, at the time of his death, rank of —, in company —, in — regiment, (or vessel, if in the navy;) that he left neither widow, minor child, mother, nor father; that the above named are the only surviving legitimate brothers and sisters of said deceased —, who where under sixteen years of age at the time of his death, and were dependent upon him, [if any have died, the facts and date of death should be stated;] that said brothers and sisters were the issue of —, —, [here give the name and date of birth of each brother and each sister, and the names of the parents of each one respectively;] that the parents were married under the names of —, —, to —, —, on the — day of —, A. D. —, by —, —, at —, there being no legal barrier to such marriage, [if more than once married, the facts in each case should be stated;] that said brothers and sisters have not aided or abetted the rebellion; that no prior application has been filed in their behalf, or by the father or mother, [or, if any has been filed, the date of filing should be given;] that he (or she) hereby appoints —, —, his (or her) attorney to prosecute the above claim; that his (or her) residence is at No. —, in — street, in the — of —, county of —, State of —, and that his (or her) post office address is —.	5
Applicant.		
Guardian.		10
Service.		15
Died or missing.		
Rank.		20
Only surviving brothers and sisters, under sixteen, who were dependent.		
Death.		25
Names and date of birth.		
Names of parents.		
Marriage of father.		30
Loyalty.		
No prior application.		35
Agent.		
Residence and post office address.		40

(Signature of claimant.)

(Identification and jurat as in Form F.)

☞ For application for arrears see Form N.

45

K.

Declaration, for restoration to the pension rolls, of a person whose name has been dropped under the act of February 4, 1862.

5 STATE OF ———, County of ———, ss:

On this ——— day of ———, A. D. ———, personally appeared before me, (judge, clerk, or deputy clerk,) of the ——— court, in said State and county, the same being a court of record, ———, aged ——— years, a resident of ———, in the State of ———, who, being duly sworn according to law, declares that he (or she) is the identical ———, who was pensioned on the rolls of the agency at ———, and whose pension certificate is herewith returned; that he (or she) has resided, since the 15 1st day of January, A. D. 1861, as follows, [here name the place or places at which the applicant has resided;] that, during this period, his (or her) means of subsistence have been, [here name the employment or other means by which a livelihood has been gained;] that he 20 has not borne arms against the government of the United States, or (or she has not) in any manner aided or abetted the rebellion, or those prosecuting the rebellion, or manifested a sympathy with their cause, but, on the contrary, did, during the said rebellion, earnestly desired its suppression by force of arms; that he (or she) was last paid 25 his (or her) pension on the ——— day of ———, 18—, [here the claimant, if an invalid, should depose as to the continuance of his disability, and if a widow, mother, or father, as to remarriage;] that he (or she) hereby 30 appoints ———, his or her attorney to prosecute the above claim; that his (or her) residence is at No. ———, in ——— street, in the ——— of ———, county of ———, State of ———, and that his (or her) post office address is ———.

40

(Claimant's signature.)

(Identification and jurat as in Form F.)

 For application for arrears see Form N.

Court officer.

Applicant and age.

Pension agency. Pension certificate.

Residence since January, 1861.

Means of subsistence.

Loyalty.

Last payment.

Continuance of disability and remarriage.

Agent.

Residence and post office address.

STATE OF _____, *County of* _____, ss :

(Identification and jurat as in Form F.)

M.

*Declaration for increase of pension under section 13, act
of July 27, 1868.*

STATE OF ———, County of ———, ss :

- 5 On this ——— day of ———, A. D. ———, personally
appeared before me ———, [here state official
character of the person administering the oath,] ———,
who, being duly sworn according to law, makes the follow-
10 ing declaration in order to obtain the benefit of the
provisions of section 13 of an act of Congress relating
to pensions, approved July 27, 1868: that the person
on account of whose disability (or death) pension was
granted, was ———, who was a [here give company and
15 regiment if in the army, or vessel and rank if in the
navy, and whether in any other service; and if so, what,
and under what name;] that the pension certificate
numbered ———, and bearing date ———, is herewith
returned, [here claimant should, if an invalid, depose
20 as to the continuance of his disability, and if a widow,
mother, or father, as to remarriage;] that claimant ap-
points ———, his attorney to prosecute the above
claim, and that his (or her) residence is at No. ———, in
——— street, in the ——— of ———, county of ———,
and State of ———, and that his (or her) post office
25 address is ———.

Civil officer.
Applicant.

Service.

Pension certifi-
cate.

Continuance of
disability.
Remarriage.
Agent.
Residence and
post office ad-
dress.

(Signature of claimant.)

(Identification and jurat as in Form F.)

N.

*Application for renewal or arrears of pensions.**To the Commissioner of Pensions :*

Applicant.	SIR: Believing that I, (————, of) ————,	5
Pension on account of whose disability or death claim is made.	who was a ———— [here state rank, and if the person on account of whose disability or death pension was granted was in the army, give company and regiment, and if in the navy, name of vessel, and whether in other service; and if so, what, and under what name, with date of enlistment and discharge in each service,]	10
Service.	am entitled to ———— of my pension, which was payable at ———— agency, I herewith return my present pension certificate, No. ————, [if already surrendered, so state, and if it cannot be produced state the reason;]	15
Pension agency.	that ————, [if the applicant be a widow, she should state whether she has remarried;]	20
Certificate.	that I ask ———— of my pension may be granted, because [here give grounds;]	
Remarriage.	that my residence is at No. ————, ———— street, in ————	
Arrears or Renewal.	of ————, county of ————, and State of ————.	
Basis of claim.	(Claimant's signature.)	
Residence and post office address.		

O.

*Declaration for restoration to pension rolls of a person
whose name has been dropped by reason of re-enlistment.*

STATE OF ———, County of ———, ss :

- 5 On this — day of —, A. D. —, personally
appeared before me, —, [here state official character
of officer administering the oath] in and for State and
county, ———, who, being duly sworn according
to law, declares: that his name was duly enrolled at
10 the — pension agency, at the rate of — dollars
per month, by reason of disability incurred in the mili-
tary (or naval) service of the United States; [here state
the company and regiment if in the army, or vessel and
rank if in the navy;] that he re-enlisted on the — day
15 of —, A. D. —, in —, [here state service and rank,]
was last discharged on the — day of —, A. D. —,
and was last paid on the — day of —, A. D. —,
that he believes himself entitled, by reason of continu-
ance of said disability, to be restored to the rolls; that
20 he herewith returns his present pension certificate, No.—,
(if already surrendered, so state; and if he cannot pro-
duce it, state the reason;) that, while in the service afore-
said, he was treated for said disability in the following
named (or numbered) hospital; [here give a particular
25 and minute account of his physical condition from the
date at which his pension ceased to the present time,
and where the applicant resided, and what has been his
occupation when out of the service;] that he hereby
appoints — his attorney to prosecute his claim;
30 that his residence is at No —, in — street, in the
— of —, county of —, and State of —.
(Claimant's signature.)

Civil officer.

Applicant.

Pension agency.

Disability.

Service.

Last discharged.

Last paid.

Continuance of
disability.

Certificate.

Treatment in
hospital.Description of
cause of disability.Date of origin,
its progress &c.

Agent.

Residence and
post office ad-
dress.

(Identification and jurat as in Form A.)

4 P L

1911 JAN 1 1911

P.

Declaration for pension under section 6, act of March 2, 1867.

The undersigned respectfully applies to the Honorable ———, Secretary of the Navy, for the benefits of the sixth section of the act approved March 2, 1867, having served ——— years, and was last discharged from the United States ———, as ———, on the ———, 18—, and furnishes the following statement of his naval service:

Date of enlistment.	Name of vessel.	Rating.	Commanding officer.	Date of discharge.

And further states that he is ——— years of age, ——— feet ——— inches in height, and was born ———, and has the following permanent marks and scars: ———, all of which can be verified by the records of the Navy Department and the vessels named. ———, 18—.

(Signature.)

(Address.)

Q.

APPLICATION FOR A NEW CERTIFICATE.

5 N. B.—Blanks are left at the close of applicant's affidavit that he may set forth the time, place, and manner of the loss or destruction of the original certificate.

The pensioner's oath must be supported by the evidence of another person as to identity. The witness must swear that he well knows him to be the same person described in his affidavit, and the magistrate must certify that the deponent is a person of veracity.

10 When a person acting as agent or attorney for a pensioner loses the certificate, the affidavit of that person, duly authenticated, is also required.

15 The official character and signature of the officer before whom the affidavits are made must be authenticated by the certificate of the proper officer, under his seal of office; and in every instance where the certificate of the certifying officer who authenticates the papers is not written on the same sheet which contains the affidavit, or other paper authenticated, the certificate must be attached thereto by a piece of tape or small ribbon the ends of which must pass under the seal of office of the certifying officer.

STATE OF ———, *County of* ———, ss:

On this ——— day of ———, 18—, before the subscriber, a ——— for said county, personally appeared ———, who, on ——— oath, declares that ——— is the
25 ——— who was a ——— in the service of the United States; that ——— name was placed on the pension roll of the State of ———; that ——— received a certificate of that fact under the signature and seal of the secretary of ———; which certificate, on or about the
30 ——— day of ———, 18—, at or near ———

35 Sworn and subscribed to before me the day and year aforesaid.

STATE OF ———, *County of* ———, ss:

On this ——— day of ———, 18—, before the subscriber, a ——— for said county, personally appeared
40 ———, who, on his oath, declares that he well knows ———, who has executed the foregoing affidavit, to be the identical pensioner named therein.

Sworn and subscribed to before me the day and year aforesaid.

45

R.

APPLICATION FOR A TRANSFER.

No pensioner will be transferred to a State unless he or she is a permanent resident therein, or to an agency unless their residence is within the district. The official character and signature of the acting magistrate must be duly certified.

STATE OF ———, *County of* ———, *ss:*

On this ——— day of ———, 18—, before me, a ———, personally appeared ———, a resident of ———, who, being duly sworn, declares that ——— is the same person whose name was placed, on the ——— day of ———, 18—, upon the list of * ——— pensions, at the rate of ——— dollars ——— cents per month, from the ——— day of ———, 18—.

* That said ——— was last paid at the pension agency of ———, to the ——— day of ———, 18—, but now desires and applies for the payment of said pension at, and the transfer of ——— name to the roll of, the pension agency at† ———.

Sworn and subscribed to before me, the day and year aforesaid.

* Insert "army" or "navy."

† Insert the place and the reasons for requesting the transfer.

EVIDENCE OF IDENTITY.

STATE OF ———, *County of* ———, *ss:*

I, ———, in the county above named, do hereby certify that I have the most satisfactory evidence,* viz:

that ———, who has this day appeared before me to take the oath of identity, is the identical person named in the pension certificate, which he has exhibited before me, numbered ———, and bearing date at the ——— the ——— day of ———, 18—, and signed by ———, secretary of ———.

Given under my hand at ———, this ——— day of ———, 18—.

N. B.—When the pensioner is personally known to the agent, and he will certify to his identity, the annexed form may be dispensed with.

* Here state what the evidence is—whether personal knowledge, or the affidavits of respectable persons, giving their names.

STATE OF ———, *County of* ———, *ss:*

I, ———, clerk of the ——— court of the county and State aforesaid, do hereby certify that ——— is ———, duly commissioned and qualified; that his commission was dated on the ——— day of ———, 18—, and will expire on the ——— day of ———, 18—; and that his signature above written is genuine.

Given under my hand and the seal of said county, this ——— day of ———, 186—.

———, *Clerk.*

L A W S.

ARMY AND NAVY PENSION LAWS.

- AN ACT to provide for persons who were disabled by known wounds received in the Revolutionary war, approved April 10, 1806.—(Revised Statutes, vol. ii, chap. xxv.)

10 *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:* That any commissioned, or non-commissioned officer, musician, soldier, marine or seaman, disabled in the actual service of the United States, while in the line of his duty, by known wounds received during the revolutionary war, and who did not desert the service; or who in consequence of disability as aforesaid, resigned his commission, or took a discharge; or who, after incurring disability as aforesaid, was taken captive by the enemy, and remained either in captivity or on parole, until the close of said revolutionary war; or who, in consequence of known wounds received as aforesaid, has, at any period since, become and continued disabled in such manner as to render him unable to procure a subsistence by manual labor; whether such officer, musician, soldier, marine, or seaman, served as a volunteer, in any proper service against the common enemy, or belonged to a detachment of the militia which served against the common enemy, or to the regular forces of the United States, or of any particular State, he shall, upon substantiating his claim in the manner hereinafter described, be placed on the pension list of the United States, during life, or the continuance of such disability, and be entitled, under the regulations hereinafter mentioned, to receive such sum as shall be found just and proper, by the testimony adduced.

Officers, soldiers, marines, or seamen who did not desert, or resigned from disabilities which render them incapable to procure a subsistence by manual labor, to be placed on the pension list.

* * * * *

Approved April 10, 1806.

- 35 AN ACT concerning invalid pensioners, approved April 25, 1808.—(Revised Statutes, vol. ii, chap. lviii.)

[To provide for payment of State pensioners of the revolution by the United States, and for invalids disabled subsequent to the revolution.]

- 40 * * * * *
- 45 SECTION 3. *And be it further enacted,* That the Secretary of War be, and he is hereby, authorized and directed to place on the pension list of the United States all persons who now remain on the pension list of any of the States; and who were placed on the same in consequence of disability occasioned by known wounds received during the revolutionary war, whether such

Persons on State lists of pensioners, by reason of wounds in revolutionary war, entitled to United States pension.

person or persons served in the land or sea service of the forces of the United States, or of any particular State, in the regular corps, or the militia, or as volunteers: *Provided*, That in no case the pensions allowed to such person or persons shall exceed the sums specified by the sixth section of an act, entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war," passed the tenth day of April, one thousand eight hundred and six: *And provided*, That in every case where application shall be made to have such person or persons placed on the pension list of the United States, under this law, satisfactory documents from the proper officers of the State shall be adduced to establish the fact of such person or persons having been placed on the State pension list in consequence of disability occasioned by known wounds received during the revolutionary war.

SEC. 4. *And be it further enacted*, That any officer, non-commissioned officer, musician, or private, who has been wounded or disabled since the revolutionary war, while in the line of his duty, in the actual service of the United States, whether he belonged to the military establishment or the militia, or any volunteer corps, called into service under the authority of the United States, may be placed on the pension list of the United States, at such rate of compensation, and under such regulations, as are prescribed by the act entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war, passed April the tenth, one thousand eight hundred and six.

Approved April 25, 1808.

AN ACT to raise an additional military force, approved January 11, 1812.—(Revised Statutes, vol. ii, chap. xiv.)

[To provide for invalids of the war of 1812.]

SECTION 14. *And be it further enacted*, That if any officer, non-commissioned officer, musician, or private, shall be disabled by wounds, or otherwise, while in the line of his duty in public service, he shall be placed on the list of invalids of the United States, at such rate of pension, and under such regulations, as are or may be directed by law: *Provided always*, That the compensation to be allowed for such wounds or disabilities, to a commissioned officer shall not exceed, for the highest rate of disability, half the monthly pay of such officer, at the time of his being disabled or wounded; and that no officer shall receive more than the half-pay of a lieutenant-colonel; and that the rate of compensation to non-commissioned officers, musicians, and privates, shall not exceed five dollars per month: *And provided, also*,

Half-pay for officers, and \$5 for privates, or proportions thereof.

Satisfactory evidence from the States requisite.

Wounded or disabled since the revolutionary war, whether already pensioned or not.

How the officers, non-commissioned officers, &c., may become pensioners.

Limitation of allowance as pensioners.

Proviso.

That all inferior disabilities shall entitle the person so disabled to receive an allowance proportionate to the highest disability.

5 Approved January 11, 1812.

AN ACT making further provision for military services during the late war, and for other purposes, approved April 16, 1816.—(Revised Statutes, vol. iii, chap. lv.)

10 [To provide half-pay to widows and children of soldiers, &c., of war of 1812.]

15 *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, when any officer or private soldier of the militia, including rangers, sea-fencibles, and volunteers, or any non-commissioned officer, musician, or private, enlisted for either of the terms of one year or eighteen months, or any commissioned officer of the regular army, shall have died while in the service of the United States, during the late war, or in returning years.

20 to his place of residence, after being mustered out of service, or who shall have died at any time thereafter, in consequence of wounds received while in the service, and shall have left a widow, or, if no widow, a child or children under sixteen years of age, such widow, or, if

25 no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was entitled at the time of his death, for and during the term of five years; and in case of death or intermarriage of such widow before the expiration of said five years,

30 the half-pay for the remainder of the time shall go to the child or children of said decedent: *Provided, always,* That the Secretary of War shall adopt such forms of evidence in applications under this act as the President of the United States may prescribe: *Provided, also,* That

35 the officers and private soldiers of the militia, as aforesaid, who have been disabled by wounds or otherwise, while in the service of the United States, in discharge of their duty during the late war, shall be placed on the list of pensioners in the same manner as the officers

40 and soldiers of the regular army, under such forms of evidence as the President of the United States may prescribe: *Provided, also,* That the provisions of this act shall not extend to any person embraced in the provision of the act entitled, "An act to provide for the widows and orphans of militia slain, and for militia disabled in the service of the United States," passed the second day of August, one thousand eight hundred and thirteen.

Widows and children of soldiers who died in service during the war of 1812, or of wounds received while in service—half-pay for five years.

Soldiers of the militia disabled during the war of 1812.

Proviso.

Approved April 16, 1816.

AN ACT to increase the pensions of invalids in certain cases, for the relief of invalids of the militia, and for appointment of pension agents in those States where there is no commissioner of loans, approved April 24, 1816.—(Revised Statutes, vol. iii, chap. xviii.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Rate of pensions
apportioned by
disabilities.

That all persons of the rank hereinafter named, who are now on the military pension roll of the United States, shall, from and after the passage of this act, be entitled to, and receive, for disabilities of the highest degree, the following sums, in lieu of those to which they are now entitled, to wit: a first lieutenant, seventeen dollars; a second lieutenant, fifteen dollars; a third lieutenant, fourteen dollars; an ensign, thirteen dollars; a non-commissioned officer, musician, or private, eight dollars per month; and for disabilities of a degree less than the highest, a sum proportionately less.

Persons provided for by the first section to be put on pension rolls, according to rates therein prescribed.

SEC. 2. *And be it further enacted,* That all persons of the aforesaid ranks, who may hereafter be placed on the military pension roll of the United States, shall, according to their ranks and degrees of disabilities, be placed on at the aforesaid rates of pensions in lieu of those heretofore established: *Provided,* That nothing herein contained shall be construed to lessen the pension of any person who, by special provision, is entitled to a higher pension than is herein provided.

Laws and regulations relating to the regular army to extend to the militia.

SEC. 3. *And be it further enacted,* That all laws and regulations relating to the admission of officers and soldiers of the regular army to be placed on the pension roll of the United States shall, and they are hereby declared to, relate equally to the officers and soldiers of the militia, while in the service of the United States.

* * * * *

Approved April 24, 1816.

AN ACT supplementary to the "Act for the relief of certain surviving officers and soldiers of the Revolution," approved June 7, 1832.—(Revised Statutes, vol. iv, chap. cxxvi.)

The act of June 7, 1832, grants pension to all soldiers of the continental line, State troops, volunteers, or militia, and to all sailors and marines who had then served two years, full pay from March 3, 1831, for life; not to exceed captain's pay, and to all who had served not less than six months, an annuity proportioned to term of service; those already pensioners to relinquish former pension before receiving benefits of this act. Whatever may have accrued between the last preceding last semi-annual payment and the death of a person entitled as above stated is to be paid to the widow.

AN ACT granting half-pay to widows and orphans where their husbands and fathers have died of wounds received in the military service of the United States in certain cases, and for other purposes, approved July 4, 1836.—(Revised Statutes, vol. v, chap. cclxii.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That when any officer, non-commissioned officer, musician, or private, of the militia, including rangers, sea-fencibles, and volunteers, shall have died while in the service of the United States, since the twentieth day of April, eighteen hundred and eighteen, or who shall have died in consequence of a wound received while in the service, since the day aforesaid, and shall have left a widow, or, if no widow, a child or children under sixteen years of age, such widow, or, if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was entitled at the time of his death or receiving such wound, for and during the term of five years; and in case of the death or marriage of such widow before the expiration of said five years, the half-pay for the remainder of the time shall go to the said decedent: *Provided*, That the half-pay aforesaid shall be half the monthly pay of the officers, non-commissioned officers, musicians, and privates, of the infantry of the regular army, and no more: *Provided, also*, That no greater sum shall be allowed to the widow or to the child or children of any officer than the half-pay of a lieutenant colonel.

Five years half-pay to widows or orphans of those who have died since April 20, 1818, in the service of the United States, or of wounds received in the service.

Proviso.

Proviso.

SEC. 2. *And be it further enacted*, That if any officer, non-commissioned officer, musician, soldier, Indian spy, mariner, or marine, whose service during the revolutionary war was such as is specified in the act passed the seventh day of June, eighteen hundred and thirty-two, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the Revolution," have died since the fourth day of March, eighteen hundred and thirty-one, and before the date of said act, the amount of pension which would have accrued from the fourth day of March, eighteen hundred and thirty-one, to the time of his death, and become payable to him by virtue of that act, if he had survived the passage thereof, shall be paid to his widow; and if he left no widow, to his children, in the manner prescribed in the act hereby amended.

Accrued pension of invalid to be paid to widows or children.

SEC. 3. *And be it further enacted*, That if any person who served in the war of the Revolution in the manner specified in the act passed the seventh day of June, eighteen hundred and thirty-two, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the Revolution," have died, leaving a widow whose marriage took place before the expiration of the last period of his service, such widow shall be entitled to receive, during the time she may remain unmarried, the annuity or pension which might

Extended to widows who were married before the expiration of the service of their husband.

have been allowed to her husband by virtue of the act aforesaid, if living at the time it was passed.

Transfer of any claim under this declared void.
The Secretary of War to adopt forms.

* * * * *
Approved July 4, 1836.

The act of March 3, 1843, extends the pension of widows provided for by the act of July 4, 1836, for one year; and that of June 17, 1844, extends the same for four years.

AN ACT providing for the prosecution of the existing war between the United States and the republic of Mexico, approved May 13, 1846.—(Revised Statutes, vol. ix, chap. xvi.)

Provision for volunteers wounded, or otherwise disabled in service in Mexican war.

SEC. 7. *And be it further enacted*, That the volunteers who may be received into the service of the United States by virtue of the provisions of this act, and who shall be wounded or otherwise disabled in the service, shall be entitled to all the benefits which may be conferred on persons wounded in the service of the United States.

Approved May 13, 1846.

AN ACT making further provisions for surviving widows of the soldiers of the Revolution, approved February 2, 1848.—(Revised Statutes, vol. ix, chap. viii.)

The act of February 2, 1848, provides that the widows of those who have served as stated in act of June 7, 1834, and who remarried prior to 1794, shall be entitled, from and after March 4, 1848, to what the deceased could have drawn under the act of 1838 aforesaid, such pension to cease upon remarriage.

AN ACT amending the act entitled "An act granting half-pay to widows and orphans where their husbands and fathers have died of wounds received in the military service of the United States" in case of deceased officers and soldiers of the militia and volunteers, passed July 4, 1836, approved July 21, 1848.—(Revised Statutes, vol. ix, chap. cviii.)

Provisions of the act of July 4, 1836, granting half-pay to widows or orphans of officers or soldiers, &c., who were in the army March 1, 1846, and during the present war with Mexico.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the first section of the act entitled "An act granting half pay to widows or orphans, where their husbands and fathers have died of wounds received in the military service of the United States, in certain cases, and for other purposes," approved July fourth, eighteen hundred and thirty-six, shall be applicable to all widows and orphans of officers, non-commissioned officers, musicians, and soldiers of the army of the United States, who were in the army of the United

States on the first day of March, eighteen hundred and forty-six, or at any subsequent period during the present war between the United States and Mexico.

- SEC. 2. *And be it further enacted*, That all widows and orphans of officers, non-commissioned officers, musicians, and privates, whether of the regular army or of volunteers, who have died since the first day of April, one thousand eight hundred and forty-six, or who may die during the war with Mexico, from wounds received or from disease contracted while in the line of duty, shall be entitled to the same rate of pension as is provided for in the first section of the before-mentioned act, under like limitations and restrictions: *Provided*, Said death has occurred, or may hereafter occur, while said officers, non-commissioned officers, musicians, or privates, were in the service of the United States, and in the line of duty; or while returning to their usual place of residence in the United States, after having received a discharge upon a surgeon's certificate of disability incurred from wounds received, or disease contracted, while in the line of duty, or while on their march to join the army in Mexico: *And provided further*, That this act shall not be applicable to the widows and orphans of such officers, non-commissioned officers, musicians, or privates, who have not served in Mexico, or at posts or stations on the borders of Mexico, except where such officers, non-commissioned officers, musicians, or privates, have died while on their march to join the army in Mexico.

Widows and orphans herein provided for to receive the same rate of pension as is provided for in the above act.

Provide.

The act of February 22, 1849, provides also for those whose husbands died since their return to their usual place of residence in the United States.

Provide.

- SEC. 3. *And be it further enacted*, That all pensions under this act shall be granted under such rules, regulations, restrictions, and limitations, as the Secretary of War, with the approbation of the President of the United States, may prescribe.

Sec'y of War to prescribe rules and regulations.

Approved July 21, 1848.

- 35 A joint resolution of September 28, 1850, extends the benefits of the act of July 21, 1848, to the widows of those soldiers who have died subsequent to the passage of said act: *Provided*, That the army rolls, showing the death of any of said persons in the army, shall be sufficient evidence to establish that fact.

Resolution of Sept. 28, 1850, extends benefits of act of July 21, 1848.

- 40 A joint resolution of March 3, 1851, grants the benefits for which provision is made by the acts of July 7, 1838, March 3, 1843, and June 17, 1844, to those whose husbands died subsequent to the passage of said acts.

- 45 The act of February 3, 1853, continues the five years half pay granted by the acts of July 21, 1848, and February 22, 1849, for another term of five years; extends the benefits of the last-named act to the widows and orphans of soldiers of the regular army, militia, and volunteers of the war of 1812, and the several Indian wars since 1790, and provides that all revolutionary widows, married since 1800, shall be pensioned the same as if married prior to that date.

Resolution of March 3, 1851, extends benefits of acts of July 17, 1838; March 3, 1843, and June 17, 1844.

Act of February 3, 1853. Extension of half-pay pensions, war of 1812.

Marriage subsequent to 1800.

Bar, only during coverture.

The act of August 5, 1854, provides that a widow pensionable under prior acts, who has remarried, is only debarred during coverture.

AN ACT to extend an act entitled "An act to continue half-pay to certain widows and orphans," approved February 3, 1853; approved June 3, 1858.—(Revised Statutes, vol. xi, chap. lxxxv.) 5

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all those surviving widows and minor

Half-pay 'continued to widows pensionable under laws prior to date of this act, during life, and to children under sixteen years if no widow. children who have been or may be granted and allowed five years half-pay, under the provisions of any law or laws of the United States, be, and they are hereby, granted a continuance of such half-pay, under the following terms and limitations, viz: To such widows 10

during life, and to such child or children, where there is 15

no widow, while under the age of sixteen years, to commence from the expiration of the half-pay provided for by

the first section of the act entitled "An act to continue half-pay to certain widows and orphans," approved 20

February three, eighteen hundred and fifty-three: *Provided, however,* That, in case of the marriage or death

Half-pay to go to children in case the widow marries. of any such widow, the half-pay shall go to the child or children of the deceased officer or soldier, while under the age of sixteen years; and in like manner the child or children of such deceased officer or soldier, when there is no widow, shall be paid no longer than while there are children or a child under the age afore- 25

said: *And provided, further,* That the half-pay of such widows and orphans shall be half the monthly pay of the officers, non-commissioned officers, musicians, and 30

privates, of the infantry of the regular army of the United States, and no more, and that no greater sum shall be allowed to any such widow or minor children 35

than the half-pay of a lieutenant colonel: *And provided, also,* That this act shall not be construed to apply to or embrace the case of any person or persons now receiving a pension for life; and, further, that wherever half-pay shall have been granted by any special act of Congress, and is renewed or continued under the provisions of this act, the same shall continue from the date 40

hereof.

SEC. 2. *And be it further enacted,* That the provisions renewed or continued by this act, shall be payable out of any money in the treasury not otherwise appropriated. 45

Approved June 3, 1858.

AN ACT to increase the pensions of the revolutionary pensioners now on the rolls of the Pension Office, approved April 1, 1864.—(Revised Statutes, vol. xiii, chap. xlv.)

The act of April 1, 1864, grants an annual stipend of one hundred dollars to each revolutionary pensioner, for life, in addition to the pension to which they were otherwise entitled. 50

Stipend to invalids.

JOINT RESOLUTION in relation to the pensions of widows of revolutionary soldiers, approved February 18, 1867.—(Revised Statutes, vol. xiv, No. xvi.)

- Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*
- That the pensions of widows of revolutionary soldiers whose names are now upon the pension rolls, and who were married to revolutionary soldiers prior to January first, eighteen hundred, be, and the same are hereby, increased to and shall be paid at the same rate as the deceased soldiers would be entitled under existing laws, if now living; such increase and payment to be made from the thirtieth day of September, eighteen hundred and sixty-five.
- Approved February 18, 1867.

Resolution of February 18, 1867. Pensions of widows of revolutionary soldiers to be increased, and from what date. Stipend of act of April 1, 1864, is hereby given to widows.

AN ACT to grant pensions, approved July 14, 1862.—(Revised Statutes, vol. xii, chap. clxvi.)

[To provide for pensions to invalids of the war of the rebellion and their relatives, &c.]

- Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*
- That if any officer, non-commissioned officer, musician, or private of the army, including regulars, volunteers, and militia, or any officer, warrant or petty officer, musician, seaman, ordinary seaman, flotillaman, marine, clerk, landsman, pilot, or other person in the navy or marine corps, has been, since the fourth day of March, eighteen hundred and sixty-one, or shall hereafter be, disabled by reason of any wound received or disease contracted while in the service of the United States, and in the line of duty, he shall, upon making due proof of the fact, according to such forms and regulations as are or may be provided by or in pursuance of law, be placed upon the list of invalid pensions of the United States, and be entitled to receive, for the highest rate of disability, such pension as is hereinafter provided in such cases, and for an inferior disability an amount proportionate to the highest disability, to commence as hereinafter provided, and continue during the existence of such disability. The pension for a total disability for officers, non-commissioned officers, musicians, and privates employed in the military service of the United States, whether regulars, volunteers, or militia, and in the marine corps, shall be as follows, viz: Lieutenant colonel, and all officers of a higher rank, thirty dollars per month; major, twenty-five dollars per month; captain, twenty dollars per month; first lieutenant, seventeen dollars per month; second lieutenant, fifteen dollars per month; and non-commissioned officers, musicians, and privates, eight dollars per month. The pension for total disability for officers, warrant or petty

Persons entitled to invalid pension.

Proportionate to disability, and during its existence.

Rates in army.

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given to a mother on account of her son shall terminate on her remarriage: *And provided further*, That nothing

herein shall be so construed as to entitle the mother of an officer or other person dying, as aforesaid, to more than one pension at the same time under the provisions of this act. Not more than one pension.

- 5 SEC. 4. *And be it further enacted*, That where any officer or other person named in the first section of this act shall have died subsequently to the fourth day of March, eighteen hundred and sixty-one, or shall here-
 10 after die, by reason of any wound received or disease contracted while in the service of the United States, and in the line of duty, and has not left or shall not leave a widow, nor legitimate child, nor mother,
 15 but has left or may leave an orphan sister or sisters, under sixteen years of age, who were dependent upon him for support, in whole or in part, such sister or sisters shall be entitled to receive the same pension as such officer or other person would have been entitled to had he been totally disabled; which pension to said orphan shall commence from the death of the officer or
 20 other person dying as aforesaid, and shall continue to the said orphans until they severally arrive at the age of sixteen years, and no longer: *Provided, however*, That nothing herein shall be so construed as to entitle said orphans to more than one pension at the same time
 25 under the provisions of this act: *And provided further*, That no moneys shall be paid to the widow or children, or any heirs of any deceased soldier, on account of bounty, back pay, or pension, who have in any way been engaged in or who have aided or abetted the exist-
 30 ing rebellion in the United States; but the right of such disloyal widow or children, heir or heirs of such soldier, shall be vested in the loyal heir or heirs of the deceased, if any there be.

If no widow, child, or mother, orphan dependent sisters, until sixteen. (See sec. 12, act of June 6, 1866, and sec. 1, act of July 27, 1868, for provision as to fathers and brothers.)

Only one pen-

Loyalty requi- site.

- 35 SEC. 5. *And be it further enacted*, That pensions which may be granted, in pursuance of the provisions of this act, to persons who may have been, or shall be, employed in the military or naval service of the United States, shall commence on the day of the discharge of such persons in all cases in which the application for such
 40 provisions [pensions] is filed within one year after the date of said discharge; and in cases in which the application is not filed during said year, pensions granted to persons employed as aforesaid shall commence on the day of the filing of the application.

Commencement of pension, when application filed within one year. (Repealed by sec. 6, act of July 27, 1868.)

- 45 SEC. 6. *And be it further enacted*, That the fees of agents and attorneys for making out and causing to be executed the papers necessary to establish a claim for a pension, bounty, and other allowance before the Pension Office under this act, shall not exceed the following
 50 rates: For making out and causing to be duly executed a declaration by the applicant, with the necessary affidavits, and forwarding the same to the Pension Office, with the requisite correspondence, five dollars. In cases wherein additional testimony is required by the Com-
 55 missioner of Pensions, for each affidavit so required and executed and forwarded, (except the affidavits of sur-

Agents' fees. (Repealed by sec. 12, act of July 4, 1864.)

geons, for which such agents and attorneys shall not be entitled to any fees,) one dollar and fifty cents.

Penalties for
overcharge. (Re-
pealed by sec. 13,
act of July 4
1864.

SEC. 7. *And be it further enacted*, That any agent or attorney who shall, directly or indirectly, demand or receive any greater compensation for his services under this act than is prescribed in the preceding section of this act, or who shall contract or agree to prosecute any claim for a pension, bounty, or other allowance under this act, on the condition that he shall receive a per centum upon, or any portion of the amount of such claim, or who shall wrongfully withhold from a pensioner or other claimant the whole or any part of the pension or claim allowed and due to such pensioner or claimant, shall be deemed guilty of a high misdemeanor, and upon conviction thereof shall for every such offense be fined not exceeding \$300 or imprisoned at hard labor not exceeding two years, or both, according to the circumstances and aggravations of the offense.

Examining sur-
geons' fees—how
paid.

SEC. 8. *And be it further enacted*, That the Commissioner of Pensions be, and he is hereby, empowered to appoint, at his discretion, civil surgeons to make the biennial examinations of pensioners which are or may be required to be made by law, and to examine applicants for invalid pensions, where he shall deem an examination by a surgeon to be appointed by him necessary; and the fee for each of such examinations, and the requisite certificate thereof, shall be \$1 50 which fee shall be paid to the surgeon by the person examined, for which he shall take a receipt and forward the same to the Pension Office; and upon the allowance of the claim of the person examined, the Commissioner of Pensions shall furnish to such persons an order on the pension agent of his State for the amount of the surgeon's fees.

Instruction and
forms.

SEC. 9. *And be it further enacted*, That the Commissioner of Pensions, on application made to him in person or by letter by any claimants or applicants for pension, bounty, or other allowance required by law to be adjusted and paid by the Pension Office, shall furnish such claimants, free of all expense or charge to them, all such printed instructions and forms as may be necessary in establishing and obtaining said claim; and in case such claim is prosecuted by an agent or attorney of such claimant or applicant, on the issue of a certificate of pension or the granting of a bounty or allowance, the Commissioner of Pensions shall forthwith notify the applicant or claimant that such certificate has been issued, or allowance made, and the amount thereof.

Notice of issue
of certificate.

Persons on gun-
boats, &c., not
mustered.

SEC. 10. *And be it further enacted*, That the pilots, engineers, sailors, and crews upon the gunboats and war vessels of the United States, who have not been regularly mustered into the service of the United States, shall be entitled to the same bounty allowed to persons of corresponding rank in the naval service, provided they continue in service to the close of the present war;

and all persons serving as aforesaid, who have been or may be wounded or incapacitated for service, shall be entitled to receive for such disability the pension allowed by the provisions of this act to those of like rank, and each and every such person shall receive pay according to corresponding rank in the naval service: *Provided*, That no person receiving pension or bounty under the provisions of this act shall receive either pension or bounty for any other service in the present war.

No pension or bounty for other service in same war.

SEC 11. *And be it further enacted*, That the widows and heirs of all persons described in the last preceding section who have been or may be employed as aforesaid, or who have been or may be killed in battle, or of those who have died or shall die of wounds received while so employed, shall be paid the bounty and pension allowed by the provisions of this act, according to rank, as provided in the last preceding section.

Widows and heirs of persons designated in sec. 10. (Repealed by sec 4, act of July 4, 1864.)

SEC. 12. *And be it further enacted*, That the Secretary of the Interior be, and he is hereby, authorized to appoint a special agent for the Pension Office, to assist in the detection of frauds against the pension laws, to cause persons committing such frauds to be prosecuted, and to discharge such other duties as said Secretary may require him to perform; which said agent shall receive for his services an annual salary of \$1,200, and his actual traveling expenses incurred in the discharge of his duties shall be paid by the government.

SEC. 13. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby repealed.

Repealing clause.

Approved, July 14, 1862.

AN ACT supplementary to an act entitled "An act to grant pensions," approved July 14, 1862; approved July 4, 1864.—(Revised Statutes, vol. xiii, chap. cxxlvii.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the biennial examinations of pensioners required by an act approved March three, eighteen hundred and fifty-nine, may be made by one surgeon only, provided he is a surgeon of the army or navy, or an examining surgeon duly appointed by the Commissioner of Pensions; nor shall the biennial certificate of two unappointed civil surgeons be accepted in any case, except upon satisfactory evidence that an examination by a commissioned or duly appointed surgeon is impracticable.

Biennial examinations by an appointed or commissioned surgeon; certificates of unappointed surgeons, when to be accepted.

SEC. 2. *And be it further enacted*, That all fees paid to examining surgeons for biennial examinations, or for examinations especially ordered, as provided by the eighth section of the act to grant pensions, approved July fourteen, eighteen hundred and sixty-two, shall be refunded by the agent for paying pensions in the

Surgeon's fees. (Sec sec. 8. of this act, and sec. 8, act of July 14, 1862.)

district within which the pensioner or claimant resides, out of any money appropriated for the payment of pensions, under such regulations as the Commissioner of Pensions may prescribe.

Declarations before a court officer—exceptions to this requirement.

SEC. 3. *And be it further enacted*, That declarations of pension claimants shall be made before a court of record, or before some officer thereof having custody of its seal, said officer being hereby fully authorized and empowered to administer and certify any oath or affirmation relating to any pension or application therefor: *Provided*, That the Commissioner of Pensions may designate, in localities more than twenty-five miles distant from any place at which such a court is holden, persons duly qualified to administer oaths, before whom declarations may be made and testimony taken.

SEC. 4. *And be it further enacted*, That section twelve of the act to grant pensions, approved July fourteen, eighteen hundred and sixty-two, is hereby repealed. And the Commissioner of Pensions is authorized and empowered to detail, from time to time, clerks in his office to investigate suspected attempts at fraud on the government through the Pension Office, and to aid in prosecuting any person so offending, with such additional compensation as is customary in cases of special service.

(Repealed by sec. 1, act of June 6, 1866.)

SEC. 5. *And be it further enacted*, That all persons now by law entitled to a less pension than hereafter specified, who shall have lost both feet in the military service of the United States and in the line of duty, shall be entitled to a pension of twenty dollars per month; and those who, under the same conditions, have lost both hands or both eyes, shall be entitled to a pension of twenty-five dollars per month.

When lack of satisfactory record evidence is a bar. (Last sentence of this section repealed by sec. 6, act of June 6, 1866.)

SEC. 6. *And be it further enacted*, That no pension claim now on file, unless prosecuted to a successful issue within three years from the passage of this act, and no claim hereafter filed, not thus prosecuted to a successful issue within five years from the date of such filing, shall be admitted without satisfactory record evidence from the War Department to establish the same; and in every case in which a claim for pension shall have been filed more than three years after the discharge or decease of the party on whose account the claim is made, the pension, if allowed, shall commence from the date of filing the last paper in said case by the party prosecuting the same.

Widows pension not renewable after remarriage.

SEC. 7. *And be it further enacted*, That on the remarriage of any widow receiving a pension, such pension shall terminate, and shall not be renewed should she again become a widow.

Special examinations.

SEC. 8. *And be it further enacted*, That examining surgeons, duly appointed by the Commissioner of Pensions, may be required by him, from time to time, as he shall deem for the interests of the government, to make special examinations of pensioners on the rolls of their respective districts, and such examinations

- shall have precedence over previous examinations, whether special or biennial; but when injustice is alleged to have been done by any examination so ordered, the Commissioner of Pensions may, at his discretion, select a board of three duly appointed examining surgeons, who shall meet at a place to be designated by him, and shall review such cases as may be ordered before them on appeal from any special examination as aforesaid, and the decision of such board shall be final on the question so submitted thereto. The compensation of all such surgeons shall not exceed that which has been customarily allowed in such cases, and shall be paid out of any appropriations made for the payment of pensions, in the same manner as the ordinary fees of appointed surgeons are or may be authorized to be paid.

Appeal to board
of surgeons.

Fees.

- SEC. 9. *And be it further enacted*, That those persons, not enlisted soldiers in the army, who volunteered for the time being to serve with any regularly organized military or naval force of the United States, or where persons otherwise volunteered and rendered service in any engagement with rebels or Indians since the fourth day of March, eighteen hundred and sixty-one, shall, if they have been disabled in consequence of wounds received in battle in such temporary service, be entitled to the same benefits of the pension laws as those who have been regularly mustered into the United States service; and the widows or other dependents of any such persons as may have been killed in the temporary service aforesaid shall be entitled to pensions in the same manner as they would have been had such persons been regularly mustered: *Provided*, That no claim under this section shall be valid unless presented and prosecuted to a successful issue within three years from and after the passage of this act. All such claims shall be adjudicated under such special rules and regulations as the Commissioner of Pensions may prescribe most effectually to guard against fraud.

Non-enlisted
men and their
widows entitled,
provided claim
completed before
July 4, 1867. (Sec.
11, July 27, 1868,
extends time for
completion to July
4, 1872.)

- SEC. 10. *And be it further enacted*, That if any person entitled to an invalid pension under the provisions of the act granting pensions, approved July 14, 1862, has died, or shall hereafter die while an application for such pension is pending, and having a widow or dependent relative entitled to receive a pension by reason of his services and death, as provided in said act, then the pension to such widow or other person shall commence from the date at which the decedent's invalid pension would have commenced had he survived, subject to the conditions of this act and the act to which this is amendatory.

Pension of widow, or dependent relative, when invalid's application was pending at death, to commence when his would have commenced, had he survived.

- SEC. 11. *And be it further enacted*, That all enlisted soldiers in the army who shall have become disabled in the service, whether they shall have been regularly mustered in or not, shall be entitled to the same benefits of the pension laws as those who have been regularly mustered into the United States service; and the

Muster of privates not required.

widows or other dependents entitled to pensions by law, as prescribed by the act of July 14, 1862, of any such soldier who may have been killed, or shall have died, or shall hereafter die, by reason of any wound received or disease contracted while in said service and in the line of duty, shall be entitled to the same pension as though such soldier had been regularly mustered into the service. 5

Fees of agents and attorneys. (See sec. 4, act of June 6, 1866.)

SEC. 12. *And be it further enacted*, That the fees of agents and attorneys for making out and causing to be executed the papers necessary to establish a claim for a pension, bounty, and other allowance before the Pension Office, under this act, shall not exceed the following rates: For making out and causing to be duly executed a declaration by the applicant, with the necessary affidavits, and forwarding the same to the Pension Office, with the requisite correspondence, ten dollars; which sum shall be received by such agent or attorney in full for all services in obtaining such pension, and shall not be demanded or received in whole or in part until such pension shall be obtained; and the sixth and seventh sections of an act entitled "An act to grant pensions," approved July fourteenth, eighteen hundred and sixty two, are hereby repealed. 10 15 20

Penalties for overcharge.

SEC. 13. *And be it further enacted*, That any agent or attorney who shall, directly or indirectly, demand or receive any greater compensation for his services under this act than is prescribed in the preceding section of this act, or who shall contract or agree to prosecute any claim for a pension, bounty, or other allowance, under this act, on the condition that he shall receive a per centum upon any portion of the amount of such claim, or who shall wrongfully withhold from a pensioner or other claimant the whole or any part of the pension or claim allowed and due to such pensioner or claimant, shall be deemed guilty of a high misdemeanor, and upon conviction thereof shall, for every such offense, be fined not exceeding three hundred dollars, or imprisoned at hard labor not exceeding two years, or both, according to the circumstances and aggravations of the offense. 25 30 35 40

Proof of marriage in cases of colored claimants. (Sec. 14, act of June 6, 1866, repeals this.)

SEC. 14. *And be it further enacted*, That the widows and children of colored soldiers who have been or who may be hereafter killed, or who have died, or may hereafter die, of wounds received in battle, or who have died or may hereafter die of disease contracted in the military service of the United States, and in the line of duty, shall be entitled to receive the pensions now provided by law, without other proof of marriage than that the parties had habitually recognized each other as man and wife, and lived together as such for a definite period next preceding the soldier's enlistment, not less than two years, to be shown by the affidavits of credible witnesses: *Provided, however*, That such widow and children are free persons: *Provided further*, That if such parties resided in any State in which their marriage may 45 50 55

have been legally solemnized, the usual evidence shall be required.

SEC. 15. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed. Repealing clause.

Approved July 4, 1864.

AN ACT supplementary to the several acts relating to pensions, approved March 3, 1865.—(Revised Statutes, vol. xiii, chap. lxxxiv.)

10 *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*,
That no invalid pensioner, now or hereafter in the service of the United States, shall be entitled to draw a pension for any period of time during which he is or shall be entitled to the full pay or salary which an able-bodied person discharging like duties to the government is allowed by law. Invalid not entitled to pension while drawing full pay from government. (Repealed by sec. 5, act of June 6, 1866.)

15 SEC. 2. *And be it further enacted*, That acting assistant or contract surgeons, disabled by any wound received or disease contracted while actually performing the duties of assistant surgeons or acting assistant surgeons with any military force in the field or in transitu, shall be entitled to the benefits of the pension laws in the same manner as if they had actually been mustered into the service with the rank of "assistant surgeon;" and the widows, minor children, or the dependents of acting assistant surgeons dying while performing the duty aforesaid, shall, in like manner, be entitled to the same benefits of the pension laws as if the deceased had been actually mustered into the service as assistant surgeons.

20 SEC. 3. *And be it further enacted*, That all persons now by law entitled to a less pension than hereafter specified, who shall have lost one foot and one hand in the military service of the United States, and in the line of his [their] duty, shall be entitled to twenty dollars per month. (Repealed by sec. 1, act of June 6, 1866.)

25 SEC. 4. *And be it further enacted*, That if any officer or other person named in the first section of an act entitled "An act to grant pensions," approved July fourteen, eighteen hundred and sixty-two, has died since the fourth day of March, eighteen hundred and sixty-one, or shall hereafter die by reason of any wound received or disease contracted while in the service of the United States, and in the line of duty, his widow, or if there be no widow, or in case of her death or marriage without payment to her of any part of the pension hereinafter mentioned, his child or children under sixteen years of age, shall be entitled to receive the same pension as the husband or father would have been entitled to under said act had he been totally disabled, to commence from the death of the husband or father, and to continue to the widow during her widowhood, or to the child or children until they severally attain to the age of sixteen Children, if mother has remarried without payment to her, to draw from father's death; if she has been paid, from her death or remarriage. Proviso affirms sec. 10, act of July 4, 1864. (See sec. 6, act July 25, 1866.)

years, and no longer: *Provided*, That when such pension has been or shall hereafter be paid to the widow, such child or children shall only be entitled to receive the pension, to commence from the death or marriage of such widow, and [to] continue as aforesaid: *Provided further*, That nothing herein contained shall be construed to repeal or modify the tenth section of an act entitled "An act supplementary to 'An act to grant pensions,' approved July fourteen, eighteen hundred and sixty-two," approved July fourth, eighteen hundred and sixty-four, and said section is hereby declared to be in full force and effect in all cases arising under this act to which said section is applicable, saving and excepting such cases as are embraced in the preceding proviso. 5 10 15

Approved March 3, 1865.

AN ACT supplementary to the several acts relating to pensions, approved June 6, 1866.—(Revised Statutes, vol. xiv, chap. cvi.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section five of an act entitled "An act supplementary to an act entitled 'An act to grant pensions,' approved July fourteenth, eighteen hundred and sixty-two," approved July fourth, eighteen hundred and sixty-four, and section three of an act entitled "An act supplementary to the several acts relating to pensions," approved March third, eighteen hundred and sixty-five, be, and the same are hereby, repealed, and the following shall stand in lieu thereof: That, from and after the passage of this act, all persons by law entitled to a less pension than hereinafter specified, who, while in the military or naval service, and in line of duty, shall have lost the sight of both eyes, or who shall have lost both hands, or been permanently and totally disabled in the same, or otherwise so permanently and totally disabled as to render them utterly helpless, or so nearly so as to require the constant personal aid and attendance of another person, shall be entitled to a pension of twenty-five dollars per month; and all persons, who, under like circumstances, shall have lost both feet, or one hand and one foot, or been totally and permanently disabled in the same, or otherwise so disabled as to be incapacitated for performing any manual labor, but not so much so as to require constant personal aid and attention, shall be entitled to a pension of twenty dollars per month; and all persons who, under like circumstances, shall have lost one hand or one foot, or been totally and permanently disabled in the same, or otherwise so disabled as to render their inability to perform manual labor equivalent to the loss of a hand or a foot, shall be entitled to a pension of fifteen dollars per month. 20 25 30 35 40 45 50

Invalids—increased rates of pension. (This section is substituted for sec. 5, act of July 4, 1864, and sec. 3, act of March 3, 1865. See sec. 5, act of July 25, 1866.)

Pledge, &c., of pension, void.

SEC. 2. *And be it further enacted*, That any pledge, mortgage, sale, assignment, or transfer of any right,

claim, or interest in any pension which has been, or may hereafter be, granted, shall be void and of no effect; and any person acting as attorney to receive and receipt for money for and in behalf of any person entitled to a

- 5 pension shall, before receiving said money, take and subscribe an oath, to be filed with the pension agent, and by him to be transmitted, with the vouchers now required by law, to the proper accounting officer of the treasury, that he has no interest in said money by any
10 pledge, mortgage, sale, assignment or transfer, and that he does not know or believe that the same has been so disposed of to any person; and any person who shall falsely take the said oath shall be guilty of perjury, and, on conviction, shall be liable to the pains and penalties of perjury.

Oath of attorney.

Perjury.

- 15 SEC. 3. *And be it further enacted*, That any person who shall present or cause to be presented, at any pension agency any power of attorney, or other paper required as a voucher in drawing a pension, which paper shall
20 bear a date subsequent to that on which it was actually signed or executed, such person so offending shall be deemed guilty of a high misdemeanor, and shall, on conviction thereof, be punished by a fine not exceeding five hundred dollars, or by imprisonment for a term not exceeding three years, or by both, at the discretion of the court before whom such conviction shall be had; and no sum
25 of money due, or to become due, to any pensioner under the laws aforesaid, shall be liable to attachment, levy, or seizure by or under any legal or equitable process whatever, whether the same remains with the Pension Office, or any officer or agent thereof, or is in course of transmission to the pensioner entitled thereto, but shall inure wholly to the benefit of such pensioner.

Penalty for post-dating vouchers.

Protecting pension money in transit.

- 30 SEC. 4. *And be it further enacted*, That no claim agent or other person shall hereafter charge or receive more than twenty-five cents for preparing the papers necessary to enable a pensioner to receive a semi-annual payment of his pension, nor shall any pension agent charge or receive more than fifteen cents for administering an oath to a pensioner, or his attorney-in-fact, under a penalty of five dollars in each case.

Fee for preparing vouchers.

- 40 SEC. 5. *And be it further enacted*, That section one of an act entitled "An act supplementary to the several acts relating to pensions," approved March three, eighteen hundred and sixty-five, is hereby repealed.

Repeals sec. 1, act of March 3, 1865.

- 45 SEC. 6. *And be it further enacted*, That if any person entitled to an invalid pension has died since March four, eighteen hundred and sixty-one, or shall hereafter die while an application for such pension is pending, and after the proof has been completed, leaving no widow and no minor child under sixteen years of age, his heirs or legal representatives shall be entitled to receive the accrued pension to which the applicant would have been entitled had the certificate been issued before his death.

Accrued pension to go to heirs. (See sec. 9, act of July 27, 1868.)

- 55 SEC. 7. *And be it further enacted*, That in all cases when a commission shall have been regularly issued to

Commissions regularly issued to settle rank.

	any person in the military or naval service who shall have died or been disabled while in the line of duty, after the date of such commission, and before being mustered, such officer or other person entitled to a pension for such death or disability by existing laws shall receive a pension corresponding to his rank, as determined by such commission, the same as if he had been mustered: <i>Provided</i> , That this section shall not apply to any officer who shall have willfully neglected or refused to be so mustered.	3 4 5 5
Proviso.		
On sick leave or furlough same as if in field or hospital.	SEC. 8. <i>And be it further enacted</i> , That officers absent on sick leave, and enlisted men absent on sick furlough, shall be regarded in the administration of the pension laws in the same manner as if they were in the field or hospital.	10 15
Period of service.	SEC. 9. <i>And be it further enacted</i> , That the period of service of all persons entitled to the benefits of the pension laws, or on account of whose death any person may become entitled to a pension, shall be construed to extend to the time of disbanding the organization to which such persons belonged, or until their actual discharge for other cause than the expiration of the service of such organization.	20 25
Certain enlisted men to be pensioned as privates.	SEC. 10. <i>And be it further enacted</i> , That enlisted men employed as teamsters, wagoners, artificers, hospital stewards, farriers, saddlers, and all other enlisted men, however employed in the service of the army or navy, not specifically mentioned in the first section of an act entitled "An act to grant pensions," approved July fourteen, eighteen hundred and sixty-two, shall be regarded, in the administration of the pension laws, as non-commissioned officers or privates.	30 35
Abandonment, &c. (See sec. 6, act of July 27, 1868.)	SEC. 11. <i>And be it further enacted</i> , That if any officer, soldier, or seaman shall have died of wounds received or of disease contracted in the line of duty in the military or naval service of the United States, leaving a widow and a child or children under the age of sixteen years, and it shall be duly certified under seal, by any court having probate jurisdiction, that satisfactory evidence has been produced before such court that the widow aforesaid has abandoned the care of such child or children, or is an unsuitable person, by reason of immoral conduct, to have the custody of the same, then no pension shall be allowed to such widow until said minor child or children shall have become sixteen years of age, any previous enactment to the contrary notwithstanding, and the minor child or children aforesaid shall be pensioned in the same manner as if no widow had survived the said officer, soldier, or seaman, and such pension may be paid to the regularly authorized guardian of such minor or minors.	40 45 50
Provisions of sections 3 and 4, act of July 14, 1862, extended to fathers and brothers, respectively. (See sec. 1, act of July 27, 1868.)	SEC. 12. <i>And be it further enacted</i> , That section four of an act entitled "An act to grant pensions," approved July fourteen, eighteen hundred and sixty-two, is hereby so amended that the provisions thereof shall apply to and include the orphan brother or brothers, as well as	55

sister or sisters, under sixteen years of age, and the father as well as mother of a deceased officer or other person named in section one of the above-entitled act, who were dependent upon him for support in whole or in part, subject to the same limitations and restrictions.

SEC. 13. *And be it further enacted*, That nothing in this or any other act shall be so construed as to repeal or modify the sixth section of an act entitled "An act supplementary to 'An act to grant pensions,' approved July fourteenth, eighteen hundred and sixty-two," approved July fourth, eighteen hundred and sixty-four, or to entitle a person to receive more than one pension at the same time; and in every case in which a claim for pension shall not have been filed within three years after the discharge or decease of the party on whose account the claim is made, the pension, if allowed, shall commence from the date of filing the last paper in said case by the party prosecuting the same.

Sec. 6, act of July 4, 1864, reaffirmed, and only one pension allowed.

SEC. 14. *And be it further enacted*, That the fourteenth section of an act entitled "An act supplementary to an act entitled 'An act to grant pensions,' approved July fourteenth, eighteen hundred and sixty-two," approved July fourth, eighteen hundred and sixty-four, be, and the same is hereby, repealed; and that the widows and children of colored soldier and sailors who have been or may be hereafter killed, or who have died or may hereafter die of wounds received or of disease contracted in the military or naval service of the United States, and in the line of duty, shall be entitled to receive the pensions, bounty, and back pay provided by law, without other evidence of marriage than proof satisfactory to the Commissioner of Pensions that the parties had habitually recognized each other as man and wife and lived together as such; and the children born of any marriage so proved shall be deemed and taken to be the children of the soldier or sailor party thereto.

Cohabitation proof of marriage and of legitimacy of children in cases of colored claimants. (This section repeals sec. 14, act of July 4, 1864.)

Approved June 6, 1866.

AN ACT increasing the pensions of widows and orphans, and for other purposes, approved July 25, 1866.—(Revised Statutes, vol. xiv, chap. cccxxv.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the pension laws are hereby extended to and made to include provost marshals, deputy provost marshals, and enrolling officers, who have been killed or wounded in the discharge of their duties; and for the purpose of determining the amount of pension to which such persons and their dependents shall be entitled, provost marshals shall be ranked as captains, deputy provost marshals as first lieutenants, and enrolling officers as second lieutenants.

Provost marshals, &c.

Rank of said officers.

SEC. 2. *And be it further enacted*, That the pensions to widows of deceased soldiers and sailors having children by such deceased soldiers or sailors be increased at the

Increase of pension of widows and children.

rate of two dollars per month for each child of such soldier or sailor under the age of sixteen years. And in all cases in which there shall be more than one child of any deceased soldier or sailor leaving no widow, or where his widow has died or married again, or where she has been deprived of her pension under the provisions of section eleven of an act entitled "An act supplementary to the several acts relating to pensions," approved June sixth, eighteen hundred and sixty-six, the pension granted to such children under sixteen years of age by existing laws shall be increased to the same amount per month that would be allowed under the foregoing provisions to the widow if living and entitled to a pension: *Provided*, That in no case shall more than one pension be allowed to the same person.

Extension of provisions of act of July 14, 1862, and those supplementary thereto, to all except revolutionary.

SEC. 3. *And be it further enacted*, That the provisions of an act entitled "An act to grant pensions," approved July fourteenth, eighteen hundred and sixty-two, and of the acts supplementary thereto and amendatory thereof, are hereby, so far as applicable, extended to the pensioners under previous laws, except revolutionary pensioners.

Arrears of invalid pension to widows, &c. (Amended and re-enacted by sec. 9, act of July 27 1868.)

SEC. 4. *And be it further enacted*, That if any person during the pendency of his application for an invalid pension, and after the completion of the proof showing his right thereto, has died, or shall hereafter die, but not in either case by reason of a wound received or disease contracted in the service of the United States and in the line of duty, his widow, or if he left no widow, or in the event of her death or marriage, his relatives in the same order in which they would have received a pension if they had been thereunto entitled under existing laws on account of the services and death in the line of duty of such person, shall have the right to demand and receive the accrued pension to which he would have been entitled had the certificate issued before his death; and in all cases where such person so entitled to an invalid pension has died, or shall hereafter die, under circumstances hereinbefore mentioned, whether by reason of a wound received or disease contracted in the service of the United States and in the line of duty, or otherwise, without leaving a widow or such relatives, then such accrued pension shall be paid to the executor or administrator of such person in like manner and effect as if such pension were so much assets belonging to the estate of the deceased at the time of his death.

Increase of pension granted by sec. 5, act of July 4, 1864, and sec. 3, act of March 3, 1865, to be as heretofore, and that granted by sec. 1, act of June 6, 1866, to commence from last named date.

SEC. 5. *And be it further enacted*, That the repeal by the act entitled "An act supplementary to the several acts relating to pensions," approved June sixth, eighteen hundred and sixty-six, of parts of certain acts mentioned in the first section of said act, shall not work a forfeiture of any rights accrued under or granted by such parts of such acts so repealed; but such rights shall be recognized and allowed in the same manner and to all intents and purposes as if said act had never

passed, except that the invalid pensioner shall be entitled to draw, from and after the taking effect of said act, the increased pension thereby granted in lieu of that granted by such parts of such acts so repealed.

- 5 SEC. 6. *And be it further enacted*, That nothing in the fourth section of an act entitled "An act supplementary to the several acts relating to pensions," approved March third, eighteen hundred and sixty-five, or in any other supplementary or amendatory act relating to pensions, shall be so construed as to impair the right of a widow, whose claim for a pension was pending at the date of her remarriage, to the pension to which she would otherwise be entitled had her deceased husband left no minor child or children under the age of sixteen years.
- 10
- 15 Approved July 25, 1866.

Widow not debarred by remarriage if her claim was pending at said date, and if no children of her deceased husband survived. (See sec 10, act of July 27, 1868.)

- AN ACT relating to pensions, [to provide for invalids disabled subsequent to its passage, and their relatives; for further increase to invalids, additional increase to widows; pension to children by prior marriage; increase of pensions to widows of revolutionary soldiers, &c.,] approved July 27, 1868.—(Revised Statutes, vol. xv, chap. cclxiv.)
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- Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the laws granting pensions to the herein-after-mentioned dependent relatives of deceased persons leaving neither widow nor child entitled to pensions under existing laws, shall be so construed as to give precedence to such relatives in the following order, namely: First, mothers; secondly, fathers; thirdly, orphan brothers and sisters under sixteen years of age, who shall be pensioned jointly if there be more than one: *Provided*, That if, in any case, the said persons shall have left both father and mother who were dependent upon them, then on the death of the mother the father shall become entitled to a pension commencing from and after the death of the mother; and upon the death of the mother and father the dependent brothers and sisters under sixteen years of age shall jointly become entitled to such pension until they attain the age of sixteen years, respectively, commencing from and after the death of the party who, preceding them, would have been entitled to the same: *And provided further*, That no pension heretofore awarded shall be affected by anything herein contained.
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Succession of dependent relatives.

Pensions heretofore awarded not affected by this section.

- SEC. 2. *And be it further enacted*, That no person shall be entitled to a pension by reason of wounds received, or disease contracted, in the service of the United States, subsequently to the passage of this act, unless the person who was wounded or contracted disease was in the line of duty; and, if in the military service, was at the time actually in the field, or on the march, or at some post, fort, or garrison; or if in the naval service was at the time borne on the books of some ship, or other ves-

Pensions of invalids disabled subsequent to passage of this act.

sel of the United States, at sea or in harbor, actually in commission, or was on his way, by direction of competent authority, to the United States, or to some other vessel or naval station.

Unclaimed pensions.

SEC. 3. *And be it further enacted*, That so much of the acts approved April sixth, eighteen hundred and thirty-eight, and August twenty-third, eighteen hundred and forty-two, as requires that pensions remaining unclaimed for fourteen months after the same has become due shall be adjusted at the office of the Third Auditor, is hereby repealed; and the failure of any pensioner to claim his or her pension for a period of three years after the same shall have become due, shall be deemed presumptive evidence that such pension has legally terminated by reason of the pensioner's death, remarriage, recovery from disability, or otherwise, and the pensioner's name shall be stricken from the rolls, subject to the right of restoration to the same on a new application, with evidence satisfactorily accounting for the failure to claim such pension.

Right of restoration to roll.

Increase of pensions of widows and of children by a former wife.

SEC. 4. *And be it further enacted*, That if any officer, soldier, seaman, or enlisted man has died since the fourth day of March, eighteen hundred and sixty-one, or shall hereafter die, leaving a widow entitled to a pension, and a child or children under sixteen years of age by a former wife, each of said children shall be entitled to receive two dollars per month, to commence from the death of their father and continue until they severally attain the age of sixteen years, to be paid to the guardian of such child or children for their use and benefit: *Provided, however*, That in all cases where such widow is charged with the care, custody, and maintenance of such child or children, the said sum of two dollars per month for each of said children shall be paid to her for and during the time she is, or may have been, so charged with the care, custody, and maintenance of such child or children, subject to the same conditions, provisions, and limitations as if they were her own children by her said deceased husband.

See sec. 2, act of July 25, 1866.

Widows and minors not debarred from increase by the maintenance or education of the latter by any person other than the widow.

SEC. 5. *And be it further enacted*, That in all cases where an increased pension has been or may hereafter be granted to any widow or guardian of the children under sixteen years of age of a deceased soldier or sailor under an act entitled "An act increasing the pensions of widows, and for other purposes," approved July twenty-fifth, eighteen hundred and sixty-six, or any subsequent act, such widow, or the guardian of such children, shall not be deprived of such increase by reason of any child or children of such deceased soldier or sailor being the inmate of any home, orphan's asylum, or other public or private charitable institution organized for the care and education of soldiers' orphans under the laws of any of the States, or in any school or institution where such orphan may in whole or in part be maintained or educated at the expense of a State, or of the public.

SEC. 6. *And be it further enacted*, That all pensions which have been granted in consequence of death occurring or disease contracted, or wounds received, since the fourth day of March, eighteen hundred and sixty-one, or may hereafter be granted, shall commence from the

Extension of limitation as to filing and provision for arrears. (See sec. 5, act of July 14, 1862, and sec. 13, act of June 6, 1866.)

5 discharge or from the death of the person on whose account the pension has been or shall hereafter be granted: *Provided*, That the application for such pension has been, or shall hereafter be, filed with the Commissioner of Pensions within five years after the right thereto shall have accrued; except that applications by or in behalf of insane persons and children under sixteen years of age may be filed after the expiration of the said five years, if previously thereto they were without guardians or other proper legal representatives.

10 SEC. 7. *And be it further enacted*, That immediately upon the passage of this act, or as soon thereafter as may be practicable, it shall be the duty of the Commissioner of Pensions to give public notice of the contents of the foregoing section, particularly at the offices of the several pension agencies; and upon any application by letter or otherwise for or on behalf of any person entitled to the benefit of its provisions, or upon any notification that such person is so entitled, to pay or cause to be paid to him all such arrears of pensions as he may be entitled to under the provisions of said section; and no claim agent or other person shall be entitled to receive any compensation for services in making application for the arrears of pension under this and the preceding section.

Notification of title to arrears.

No fees to agents.

30 SEC. 8. *And be it further enacted*, That section eleven of act entitled "An act supplementary to the several acts relating to pensions," approved June six, eighteen hundred and sixty-six, be amended and re-enacted so as to read as follows: "That if any officer, soldier, or seaman shall have died of wounds received or of disease contracted in the line of duty in the military or naval service of the United States, leaving a widow and a child or children under the age of sixteen years, and it shall be duly certified under seal, by any court having probate jurisdiction, that satisfactory evidence has been produced before such court that the widow aforesaid has abandoned the care of such child or children, or is an unsuitable person, by reason of immoral conduct, to have the custody of the same, or on presentation of satisfactory evidence thereof to the Commissioner of Pensions, then no pension shall be allowed to such widow until said child or children shall have severally become sixteen years of age, any previous enactment to the contrary notwithstanding; and the child or children aforesaid shall be pensioned in the same manner as if no widow had survived the said officer, soldier, or seaman, and such pension may be paid to the regularly authorized guardian of such child or children."

Widows' pension to children, until they reach the age of sixteen, if she has abandoned or become unfit for the care of them. (Re-enacts sec. 11, act of June 6, 1866.) Evidence satisfactory to Commissioner of Pensions.

55 SEC. 9. *And be it further enacted*, That section six of an act entitled "An act supplementary to the several acts relating to pensions," approved June six, eighteen

Pending claim may be completed by heirs after death, if no widow nor child survive.

	hundred and sixty-six, be, and the same is hereby, amended and re-enacted, so as to read as follows: That if any person entitled to a pension has died since March fourth, eighteen hundred and sixty-one, or shall hereafter die while an application for such pension is pending, leaving no widow and no child under sixteen years of age, his or her heirs or legal representatives shall be entitled to receive the accrued pension to which the applicant would have been entitled had the certificate been issued before his or her death.	5
Widow or mother may apply after remarriage. (See sec. 6, July 25, 1866.)	SEC. 10. <i>And be it further enacted</i> , That the remarriage of any widow or dependent mother, otherwise entitled to a pension prior to the application therefor, or to the issue of a pension certificate to her, shall not debar her right to a pension for the period elapsing from the death of her husband or son, on account of whose services and death she may claim a pension, to her remarriage: <i>Provided, however</i> , That nothing in this section shall be construed to repeal or modify the fourth section of an act entitled "An act supplementary to the several acts granting pensions," approved March third, eighteen hundred and sixty-five.	10
Extension of time for completion of claims of non-enlisted men.	SEC. 11. <i>And be it further enacted</i> , That the provisions of the ninth section of an act approved July fourth, eighteen hundred and sixty-four, entitled "An act supplementary to 'An act to grant pensions,'" are hereby continued in force for five years from the fourth day of July, eighteen hundred and sixty-seven.	15
Increase for loss of only eye.	SEC. 12. <i>And be it further enacted</i> , That section one of an act entitled "An act supplementary to the several acts relating to pensions," approved June six, eighteen hundred and sixty-six, shall be so construed as to secure to every person entitled by law before the passage of said act to a less pension than twenty-five dollars per month, who, while in the military or naval service, and in the line of duty, or in consequence of wounds received or disease contracted therein, having only one eye, shall have lost the same, a pension of twenty-five dollars per month.	20
Pensions by reason of right accrued since Revolution, and before 1862, to be rated from July 25, 1866, same as those under act of 1862, and supplements.	SEC. 13. <i>And be it further enacted</i> , That the third section of an act entitled "An act increasing the pensions of widows and orphans, and for other purposes," approved July twenty-fifth, eighteen hundred and sixty-six, shall be so construed as to place all pensioners whose right thereto accrued subsequently to the war of the Revolution, and prior to the fourth day of March, eighteen hundred and sixty-one, on the same footing, as to rate of pension, from and after the passage of said act, as those who have been pensioned under acts passed since said fourth day of March, eighteen hundred and sixty-one; and the widows of revolutionary soldiers and sailors now receiving a less sum shall hereafter be paid at the rate of eight dollars per month.	25
Revolutionary widows to receive at least \$8 per month.	SEC. 14. <i>And be it further enacted</i> , That all officers in the military or naval service, of the rank of captain in the army or lieutenant in the navy, and of less rank,	30
Limbs to officers.		35
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who have lost a leg or an arm in such service and in the line of duty, or in consequence of wounds received or disease contracted therein, shall be entitled to receive an artificial limb on the same terms as privates in the army
 5 are now entitled to receive the same.

SEC. 15. *And be it further enacted*, That in all cases pensions heretofore or hereafter granted by special acts of Congress shall be subject to be varied in amount according to the provisions and limitations of the pension laws.
 10

Special acts.

SEC. 16. *And be it further enacted*, That all acts and parts of acts inconsistent with the foregoing provisions of this act be, and the same are hereby, repealed.

Repealing clause.

Approved July 27, 1868.

15 NAVY PENSION LAWS.

AN ACT for the better government of the navy of the United States, approved April 23, 1800.—(Revised Statutes, vol. ii, chap. xxxiii.)

* * * * *
 20 SECTION 8. *And be it further enacted*, That every officer, seaman, or marine, disabled in the line of his duty, shall be entitled to receive for life, or during his disability, a pension from the United States, according to the nature and degree of disability, not exceeding one-half his monthly pay.

Pensions to persons disabled in the service.

25 * * * * *
 Approved April 23, 1800.

AN ACT providing navy pensions in certain cases, approved January 20, 1813.—(Revised Statutes, vol. ii, chap. x.)

30 *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, if any officer of the navy or marines shall be killed or die, by reason of a wound received in the line of his duty, leaving a widow, or, if no widow, a child or children under sixteen years of age, such widow, or if
 35 no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was entitled at the time of his death, which allowance shall continue for and during the term of five years; but in case of death or intermarriage of such widow, before
 40 the expiration of the said term of five years, the half-pay for the remainder shall go to the child or children of the said deceased officer: *Provided*, That such half-pay shall cease on the death of such child or children; and the money required for this purpose shall be paid
 45 out of the navy pension fund, under the direction of the commissioners of that fund.

Widows and children of officers of the navy or marines to be placed, in certain cases, on the navy pension list.

proviso.

Approved January 28, 1813.

AN ACT to amend and explain "An act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States," approved March 3, 1817.—
(Revised Statutes, vol. iii, chap. lx.)

Pension to widows and orphans of those who died after June 18, 1812, of disease, casualties, or injuries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
That, if any officer, seaman, or marine, belonging to the navy of the United States, shall die, or shall have died since the 18th day of June, in the year of our Lord 1812, in consequence of disease contracted, or casualties or injuries received, while in the line of his duty, and which shall be satisfactorily proved to the commissioners of the navy pension fund, leaving a widow, or, if no widow, a child or children under sixteen years of age, such widow, or if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was entitled at the time of his death; which allowance shall continue for the term of five years; but in case of death or intermarriage of such widow, before the expiration of the said term of five years, the half pay for the remainder of the term shall go to the child or children of the deceased: *Provided*, That such half pay shall cease on the death of such child or children. And the money required for this purpose shall be paid out of the navy pension fund, under the direction of the commissioner of that fund.

Approved March 3, 1817.

AN ACT extending the term of half-pay pensions to the widows and children of certain officers, seamen and marines, who died in the public service, approved March 3, 1819.—(Revised Statutes, vol. iii, chap. lx.)

Five years' additional half-pay to the widows and children of officers, seamen, and marines, killed in battle, or who died in service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
That, in all cases where provision has been made by law for five years' half-pay to the widows and children of officers, seamen and marines, who were killed in battle, or died of wounds received in battle, or who died in the naval service of the United States, during the late war, the said provision shall be continued for the additional term of five years, to commence at the end of the first term of five years, in each case, respectively, making the provision equal to ten years' half pay; which shall be paid in the manner, and out of the fund, heretofore designated by law; and the said pensions shall also cease for the reasons mentioned in the said law.

Approved March 3, 1819.

AN ACT further extending the term of half-pay pensions to the widows and orphans of officers, seamen, and marines who died in the public service, approved January 22, 1824.—(Revised Statutes, vol. iv, chap. xv.)

- 5 *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*
 That in all cases, where provision has been made by law for five years' half-pay to the widows and children of officers, seamen, and marines, who were killed in battle, or who died in the naval service of the United States during the late war; and, also, in all cases where provision has been made for extending the term for five years, in addition to the first term of five years, the said provision shall be further extended for an additional term of five years, to commence at the end of the second term of five years, in each case respectively, making the provision equal to fifteen years' half-pay; which shall be paid out of the fund heretofore provided by law; and the said pensions shall cease for the causes mentioned in the laws providing the same respectively.
- 5 **SEC. 2.** *And be it further enacted,* That, from and after the passage of this act, the act entitled "An act to amend and explain an act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States," passed March the third, one thousand eight hundred and seventeen, be, and the same is hereby, repealed: *Provided, however,* That nothing in this act contained shall be construed to prevent the payment of any pension already granted, until the full expiration of the period thereof; nor to affect or impair the rights of any person or persons which may have accrued during the existence of the act hereby repealed, as aforesaid.
- 0 Approved January 22, 1824.

Five years' half-pay pension to the widows and children of officers, &c., who died in the service, extended.

Act of March 3, 1817, repealed.

Proviso.

- 5 The act of May 23, 1828, extends the term of years of all the widows and orphans provided for by prior navy pension laws.

- 0 The act of June 28, 1832, extends as above for another term of five years, and also grants the same to the widows of all those who may have died of wounds received during the war of 1812.

- 5 The act of June 30, 1834, also extends the benefits of the act of June 28, 1832, to widows, for another term of five years, and grants the same to the widows of those who have died in the naval service since January 1, 1824, or may die in said service by reason of disease contracted, or of casualties or injuries received; pension to commence from date of the act, and to cease upon the death or remarriage of the widow.

AN ACT renewing certain naval pensions and extending the benefits of existing laws respecting naval pensions to engineers, firemen, and coal-heavers in the navy, and to their widows, approved August 11, 1848.—(Revised Statutes, vol. ix, chap. clv.)

5

Pension laws extended to engineers, firemen, and coal-heavers, in the navy, and their widows and children.

Rate of pension.

Proviso.

SECTION 2. *And be it further enacted*, That engineers, firemen, and coal-heavers in the navy, shall be entitled to pensions in the same manner as officers, seamen, and marines; and the widows of engineers, coal-heavers, and firemen, in the same manner as the widows of officers, seamen, and marines: *Provided*, That the pension of a chief engineer shall be the same as that of a lieutenant in the navy; and a pension of the widow of a chief engineer the same as that of the widow of a lieutenant in the navy; the pension of a first assistant engineer the same as that of a lieutenant of marines; and the pension of the widow of a first assistant engineer the same as that of the widow of a lieutenant of marines; the pension of a second or third assistant engineer the same as that of a forward officer; and the pension of the widow of a second or third assistant engineer the same as that of a widow of a forward officer; the pension of a fireman or coal-heaver the same as that of a seaman; the pension of the widow of a fireman or coal-heaver the same as that of the widow of a seaman: *And provided further*, That an engineer, fireman, or coal-heaver, shall not be entitled to any pension by reason of a disability incurred prior to the 31st August, 1842, nor shall the widow of an engineer, fireman, or coal-heaver, be entitled to any pension by reason of the death of her husband, if his death was prior to the said date.

Approved August 11, 1848.

JOINT RESOLUTION to grant pensions to masters and other officers upon the gunboats in the service of the United States, approved July 16, 1832.—(Revised Statutes, vol. xii, No. 59.)

35

Title of masters, &c., and their widows, &c.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the masters serving on board of gunboats employed in the service of the United States shall be entitled to all the benefits, including bounty and pension, provided for in an act entitled "An act to grant pensions," passed during the present session of Congress, and the widows, mothers, and heirs of such officers shall be entitled to all the benefits of said act.

Approved July 16, 1862.

45

AN ACT to amend certain acts in relation to the navy, approved
March 2, 1867.—(Revised Statutes, vol. xiv, chap. clxxiv.)

SECTION 6. *And be it further enacted,* That, in order to carry out the provisions of the 11th section of the "Act for the better government of the navy of the United States," approved July 17, 1862, directing the surplus income from the naval pension fund to "be applied to the making of further provision for the comfort of disabled officers, seamen, and marines," there shall be paid out of said fund to every person who, from age or infirmity, is disabled from sea service, but who has served as an enlisted person in the navy or marine corps for the period of twenty years, and not been discharged for misconduct, in lieu of being provided with a home in the Naval Asylum, Philadelphia, if he shall so elect, a sum equal to one-half the pay of his rating at the time he was discharged, to be paid to him quarterly, under the direction of the Commissioner of Pensions, and applications for such pension shall be made to the Secretary of the Navy, who, upon being satisfied that the applicant comes within the provisions of this act, shall certify the same to the Commissioner of Pensions, and said certificate shall be his warrant for making payment as herein authorized: *And provided further,* That any disabled person who has served in the navy or marine corps as an enlisted man for a period not less than ten years and not been discharged for misconduct, may apply to the Secretary of the Navy for aid from the surplus income of the naval pension fund, and the Secretary of the Navy is authorized to convene a board of not less than three naval officers, one of whom shall be a surgeon, to examine into the condition of the applicant, and to recommend a suitable amount for his relief and for a specified time, and upon the approval of such recommendation by the Secretary of the Navy and certificate thereof to the Commissioner of Pensions, the amount shall be paid in the same manner as is provided in this section for the payment to persons disabled by long service in the navy, but no allowance so made shall exceed the rate of a pension for full disability corresponding to the grade of the applicant, nor, if in addition to a pension, exceed one fourth the rate of such pension.

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Approved March 2, 1867.

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